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**Report by Mr. A. C. Lothian on the constitutional position of the States  
in Bihar and Orissa and the Central Provinces.**

**ERRATA SLIP.**

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Page 6, penultimate line                                                                                                                                    | .. | <i>Insert "of" between "Raja " and "Singhbhum".</i>                                                                                                                              |
| 2. Page 7, paragraph 26, line 6                                                                                                                                | .. | <i>For "States" read "State".</i>                                                                                                                                                |
| .. 10 .. 32 .. 5                                                                                                                                               | .. | <i>.. 1918 .. 1818</i>                                                                                                                                                           |
| 3. Page 12, end of paragraph 35                                                                                                                                | .. | <i>Add "(7) In the Chota Nagpur group the appointment of judicial officers is under the control of the Local Government."</i>                                                    |
| 4. Page 14, line 2 .. ..                                                                                                                                       | .. | <i>After "revision" add "and are under specific control as regards their judicial appointments".</i>                                                                             |
| 5. Page 15, paragraph 42, line 3                                                                                                                               | .. | <i>For "experiences" read "experience".</i>                                                                                                                                      |
| .. 14 .. 47 .. 3                                                                                                                                               | .. | <i>.. conversed .. conserved</i>                                                                                                                                                 |
| 6. Page 20, paragraph 52, No. 5 in list                                                                                                                        | .. | <i>For "Baudh" read "Baud".</i>                                                                                                                                                  |
| 7. Page 30, paragraph 64, line 2                                                                                                                               | .. | <i>For "objection" read "object".</i>                                                                                                                                            |
| 8. Page 31, line 13 from bottom                                                                                                                                | .. | <i>For "possibly" read "passably".</i>                                                                                                                                           |
| 32 para 66 line 6                                                                                                                                              | .. | <i>- "the revenue" read "in revenue"</i>                                                                                                                                         |
| 9. Page 34, paragraph 73, line 7                                                                                                                               | .. | <i>For "President" read "Chairman".</i>                                                                                                                                          |
| 10. Page 35, at end of paragraph 76                                                                                                                            | .. | <i>Add "Condition 7—Regarding the control exercised over judicial appointments in the Chota Nagpur States.</i>                                                                   |
| <br><i>It would seem no longer necessary to retain this specific restriction in the sanads of these States, alone amongst States of their size in India. "</i> |    |                                                                                                                                                                                  |
| 11. Page 35, paragraph 77, line 6                                                                                                                              | .. | <i>For "also" read "else".</i>                                                                                                                                                   |
| .. 38 .. 82 condition 3                                                                                                                                        | .. | <i>Replace the + by an =, and put.</i>                                                                                                                                           |
| 12. Page 51, paragraph 103, line 3                                                                                                                             | .. | <i>For "namely" read "mainly".</i> <i>alterna</i>                                                                                                                                |
| 13. Page 53, notes at foot                                                                                                                                     | .. | <i>The second note refers both to the Political Agent, Sikkim and the Resident, Manipur. The third note refers to the word "charge" in penultimate line.</i>                     |
| 14. Page 55, paragraph 110, comparative list.                                                                                                                  |    | <i>A note may be added against the figure 17 for the number of States in the Western India States Agency, that this does not include the Talukas under the Political Agents.</i> |
| 15. Page 57, paragraph 114, at end of third sub-paragraph.                                                                                                     |    | <i>Add "and Governor General" after "Viceroy".</i>                                                                                                                               |
| <i>Passim</i>                                                                                                                                                  | .. | <i>The current spelling of the names of the States of Bastar and Changbhakar is as given, and any variations in the text should be corrected accordingly.</i>                    |

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Errata Slip to the Report by Mr. A. C. Lothian on the constitutional position of the States in Bihar and Orissa and the Central Provinces.

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1. page 10 para 32 line 5. For 1918 read 1818.
2. " 17 para 47 line 3. For "conversed" read "conserved".
3. " 32 para 66 line 6. For "the revenue" read "in revenue".
4. " 38 para 82 condition 3. Replace the † by an asterisk after the first "that", and place the † after the "that" at the beginning of the alternative condition as in condition 2 above, as condition 3(1) refers to the major States and condition 3(2) to the minor.
5. " 41 para 87 line 9. For "more" read "bore".









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## CHAPTER I.—INTRODUCTORY.

1. *Objects of the enquiry.*—In consequence of cabled orders recalling me from leave to undertake at once an enquiry into the constitutional position of the States in Bihar and Orissa, and the Central Provinces, I arrived in Delhi on the 9th November 1931, and had made over to me the files connected with the proposed enquiry. No self-contained terms of reference were given me although the main objects of the enquiry were clearly stated in the correspondence, *viz.* :—

- (i) which of the States in Bihar and Orissa and in the Central Provinces have adequate resources and administrative machinery to justify a partial or complete relaxation of the existing restrictions upon their judicial or administrative powers ;
- (ii) whether there are any local or other circumstances which might make it desirable to bring all or any of the States into direct political relations with the Government of India ;
- (iii) whether any alteration in the existing representation of the Bihar and Orissa and Central Provinces States in the Chamber of Princes is necessary or desirable ;

and it is necessary therefore for a proper understanding of the full scope of the enquiry and of my procedure, to enter in some detail into the history of the events leading up thereto.

2. *Origin of the enquiry.*—During the year 1930 memorials were received by the Government of India from the Rulers of the States of Kalahandi, Sonpur, Seraikela and Mayurbhanj, which, while differing in detail, were all in substance requests for the modification or relaxation of the existing restrictions on their powers of internal administration so that they might become eligible in their own right for membership of the Chamber of Princes. The Government of India, although they did not accept the views regarding their inherent rights put forward by the States, which were obviously based on the legal theory of paramountcy developed by Sir Leslie Scott before the Butler Committee, were of opinion that, as there was some doubt whether the general level of administration in these States or in the other States of the Bihar and Orissa group was lower than that prevailing in other Indian States with practically unfettered internal jurisdiction, local investigation of this question by an officer with experience of States in other parts of India was desirable. The Government of Bihar and Orissa, with whom these States are in political relations, were consulted, and it was decided with their concurrence in April 1931 that an officer of the Political Department of the Government of India should be deputed to visit all the Bihar and Orissa States informally in company with the Political Agent of these States, and to submit through the Local Government either an official or demi-official report on their conditions as compared with those of States in other parts of India, together with any recommendations for changes in the existing arrangements in regard to them.

3. *Case of Mayurbhanj.*—While the question of instituting this general enquiry was under consideration His Excellency the Viceroy in March 1931 with the concurrence of the Bihar and Orissa Government agreed to admit the Maharaja of Mayurbhanj to the Chamber of Princes as a Member in his own right on the ground that Mayurbhanj's importance and the efficiency of its administration were such that the continued exclusion of its Ruler from the Chamber was anomalous, and the issues arising at the next meeting of the Chamber were of such major importance to all States that it was most desirable to remedy this at once. In order to make the Maharaja's admission possible under the Rules of the Chamber, the procedure adopted was simply to treat as cancelled the specific restrictions in its sanad which prevented Mayurbhanj being included in the category of full, or practically full powered States, as it was considered that this would be less likely to create jealousy and trouble amongst the other Bihar and Orissa States than the issue of a new or revised sanad, and presumably also because it would be less embarrassing having regard to the general enquiry into the Bihar and Orissa sanads in contemplation.

4. *Extension of the enquiry to the Central Provinces States.*—About this time in connection with a memorial submitted to them by the Ruling Chief of Surguja, the Government of the Central Provinces made enquiries as to what was being done



in regard to Mayurbhanj and the other States of Bihar and Orissa, pointing out that the close connection between the Bihar and Orissa and the Central Provinces States meant that any action taken in the one had an inevitable reaction on the other. They were informed of the enquiry it was proposed to make in the case of the Bihar and Orissa States and were asked whether they would agree to the same course of action being followed, in which event the Government of India would endeavour to arrange that the same officer would conduct the enquiry in both areas. His Excellency the Governor was doubtful however whether it was necessary for an officer of the Government of India to tour in the Central Provinces States as very full information was available about them in the Political Agent's office and the Secretariat, and suggested that the officer who had made the Bihar and Orissa enquiry should meet the Political Agent to discuss the situation and that both of them should then come and see him, before any final decision was taken, in which case he anticipated that at most an enquiry of a very restricted character would be needed. The Government of India agreed to the suggested procedure, and the nature of the enquiry to be conducted in the Central Provinces was therefore left an open question to be settled by the officer deputed for the purpose in personal discussion with His Excellency the Governor.

5. *Question of backward States.*—In certain correspondence at this time connected with the Federal Scheme, the question of the position of the Orissa and other backward States under Federation was raised, and it was suggested that the enquiry regarding the Orissa States might be used to work out general principles for the regulation of future relations with backward States as well as for the solution of local problems. The question also was raised as to what supervision was necessary over Rulers of States where the aboriginal element was large and the system of administration primitive, and whether in such States it would be safe to sever their political relations with the authorities responsible for the control of the aboriginals of similar race and customs in the neighbouring provinces.

6. *Relations with the Orissa Committee.*—At this time also, the Government of India while considering the appointment of a Committee to examine the question of the creation of a separate province of Orissa, proposed that if the special political enquiry into the future of the Bihar and Orissa States could be held at the same time as that of the Orissa Committee, the Political Officer deputed to hold the enquiry should keep in close touch with the Committee or its Chairman in case there might be important points of contact between the two enquiries, despite the exclusion of the Orissa States from the purview of the Committee. After some correspondence with the Government of Bihar and Orissa, who did not at first favour the proposal, it was eventually decided that the Political Officer deputed to make the enquiry should keep in touch with the Committee as originally suggested, but that he should leave any representations which the States might desire to make to the Committee to be dealt with by the Political Agent or the Local Government as in the ordinary course.

7. *My proceedings in the Orissa States.*—After a few days in Delhi spent in making arrangements for my tour, I proceeded first to Patna to see His Excellency Sir Hugh Stephenson, K.C.S.I., K.C.I.E., the Governor of Bihar and Orissa, and there had the benefit of hearing his views in regard to the States in political relations with his Government, and also those of his Chief Secretary, Mr. M. G. Hallett, C.I.E., I.C.S., who kindly placed at my disposal some important records regarding these States which were with the Local Government. From Patna I proceeded to Jharsuguda, the railway junction for Sambalpur and the starting point for my tour in Orissa, where I met Mr. P. C. Tallents, C.I.E., I.C.S., the Political Agent and Commissioner for the Orissa Feudatory States. I then visited, in his company each of the 26 States in his Political charge spending a somewhat longer time in the larger States than in the smaller and less important. I broke away for a few days in the middle of the Orissa tour to pay a hurried visit to Raipur at the request of His Excellency Sir Montagu Butler, K.C.S.I., C.B., C.I.E., C.V.O., C.B.E., the Governor of the Central Provinces, so that I might discuss with him and the Political Agent for the Central Provinces States, Mr. D. H. C. Drake, I.C.S., the question of the extension of my enquiry to the Central Provinces States. At our meeting it was settled that I should visit a few of the more typical States; and a tentative programme, which however was subsequently considerably extended, was framed. When at Raipur also I received instructions that I was to act as the agent of the Indian

States Enquiry Committee for the States of Bihar and Orissa and the Central Provinces as regards collecting information relating to tributes and the other matters covered by their terms of reference. I had arranged to spend the short interval between my Orissa and my Central Provinces tour at Sambalpur studying some of the old records in the Agency Office and rough drafting my proposals for the Orissa States in consultation with the Political Agent; but when we had almost completed our Orissa tour, Mr. Tallents was suddenly summoned to take over the post of Chief Secretary to the Local Government. This rendered adherence to our original programme impossible, and as it proved too late to accelerate my Central Provinces programme, I filled in the intervening days by visiting Sir Sam O'Donnell, K.C.S.I., C.I.E., I.C.S., Chairman of the Orissa Committee at Ranchi, where I discussed with him the possible points of contact between the two enquiries, and by visiting Calcutta where, with the kind assistance of the Imperial Record Keeper, Khan Bahadur A. F. M. Abdul Ali, I was able to unearth some valuable papers bearing on the early history of Seraikela and Kharsawan, two of the Chota Nagpur States which had raised important questions of status. I also saw informally Mr. W. S. Hopkyns, C.I.E., O.B.E., I.C.S., Chief Secretary to the Government of Bengal and Mr. W. D. R. Prentice, C.S.I., C.I.E., I.C.S., Member of the Executive Council, and mentioned to them the possibility that the proposals I made as a result of my enquiry might affect the future of the two States now in political relation with the Bengal Government, *viz.*, Cooch Bihar and Tripura.

8. *My proceeding in the C. P. States.*—From Calcutta I proceeded *via* Raigarh to Sarangarh, where I met the Political Agent, Mr. Drake and with him commenced my tour of the Central Provinces States. In the course of that tour, with the consent of the Local Government, I visited Sarangarh, Raigarh, Udaipur, Surguja, Korea, Jashpur, Nandgaon, Khairagarh, Kanker and Bustar, a list which includes all the larger States, omitting only for considerations of time and inaccessibility the relatively unimportant States of Sakti, Chang Bhakar, Chhuikhadan, Kawardha and Makrai. In regard to these latter however, it may be noted that the Rulers of Kawardha and Makrai are minors, and that although the other Chiefs were invited to come to see me if they so desired, the only one who did so was the Raja of Sakti, to whom I gave every opportunity of representing his views. After concluding my tour through these Central Provinces States I returned to Delhi, where I wrote a report regarding tributes and allied matters for the Indian States Committee in my capacity as their agent for the Central Provinces and Bihar and Orissa States, and commenced the writing of my present report. My tour diary and a map showing my journeys through the various States will be found in the Appendices I and II.

9. *Framing of Questionnaire.*—At the commencement of my tour in Orissa, after consulting Mr. Tallents, I prepared the questionnaire at Appendix III covering the points most likely to be relevant for the purpose of my enquiry, which I made over personally to the Rulers of the Orissa States, and through the Political Agent in the case of the Rulers of the Central Provinces States. The answers to this questionnaire contain much valuable information which is not readily available elsewhere, and are summarised as far as possible in the first 27 columns of the comparative statement at Appendix IV, the remarks in the remaining columns being based on my own personal observations supplemented by what I could learn from other sources.

10. *Assistance.*—I wish to take this opportunity of acknowledging the hospitality and courtesy which was everywhere experienced from the Ruling Chiefs of the States we visited, and of expressing my deep personal gratitude to Mr. Tallents and Mr. Drake for the unfailing help and kindness received from them, without which such an extensive tour in a region, relatively so remote and untraversed, would have been all but impossible, and also for the benefit derived by me from their intimate local knowledge, which was ungrudgingly placed at my disposal. I should like also to express my indebtedness to my clerk, Mr. Diwan Chand, lent by the Foreign Office, for much useful assistance throughout my tour.

11. *Question whether separate reports or a combined one.*—After careful consideration I came to the conclusion that it would neither be feasible nor satisfactory to draft separate self-contained reports for the Orissa States and for the Central

Provinces States. The two groups of States are very closely linked. The distribution of the States between the two Local Governments has varied at different times, some of the Orissa States having formerly been in the Central Provinces group and *vice versa* (*vide* the list at page 8), and the nature of the sanads enjoyed by the States has in the main been determined by their former and not their present distribution. As will be seen later moreover, I am proposing that the States of both groups should be treated in the same way and should be brought in future under the same Political control. I have also thought it best to make my report a demi-official one, because most of the discussions about this inquiry have been conducted demi-officially and in the absence of self-contained terms of reference, I have had to refer to what is contained in the demi-official correspondence.

## CHAPTER II.

12. *Physical characteristics of the Orissa States.*—To one like myself, inured to the brown sunbaked plains and hills of Central India and Rajputana the physical aspect of the Orissa States was a never-failing source of delight. They are fortunate in having an assured and ample rainfall, and the greater part of the country is a tumbled mass of green, forest-covered hills, broken by river valleys, with here and there open savannahs and wide rice growing plains. The jungle is almost impenetrable in the States nearest the sea, where the rainfall is most copious, particularly in the lower Mahanadi valley, but gets more park-like and open further west away from the sea. The northernmost States, Gangpur, Seraikela and Kharasawan have been largely deforested in the past by Kol immigrants from Chota Nagpur and their scenery has been greatly spoiled; while that of the States on the southern and eastern fringe suffers rather from the monotonous thickness of the jungle and the protrusion into their area of the uninteresting coastal plain. The Central area, comprising the States of Bonai, Bamra, Pal Lahara and parts of Keonjhar is therefore the most attractive to the eye; but perhaps the finest sight in all Orissa is the Barmulgorge between Baud and Angul where the great Mahanadi river breaks through high forest-clad hills into the Orissa coastal plains, the scene in 1803 of the decisive victory of the British over the Mahrattas.

13. *Physical characteristics of the Central Provinces States.*—The States of the Central Provinces are scattered and not so uniform in characteristics as the Orissa States. Some like Nandgaon, Chhuikhadan, Kawardha, Khairagarh, Sarangarh, Sakti, Raigarh and Kanker are portions of or border on the fertile Chhattisgarh plain. Others like Jashpur, Udaipur, Surguja, Korea and Chang Bhakar are hilly, jungle-covered States resembling in the east the Chota Nagpur plateau on which they abut, and in the west changing gradually to the flat scrub-covered hills and thin jungle so characteristic of Bundelkhand and Baghelkhand. Scattered here and there also are high plateaux, like the Mainpat in Surguja, rising to a height of about 4,000 feet which enjoy a pleasant climate even during the fiercest hot weather. Bustar to the south is mainly a high plateau like that of Malwa. The top is a level and well-watered area, but most of it is still covered with dense jungle.

14. *People of the States.*—The density of population in the Orissa and Central Provinces States is much smaller than that ordinarily met with in British India, averaging only 120 to the square mile, while in some it falls well below 50; and there are large tracts of country quite unspoiled by man where wild elephant, bison and even buffalo still roam freely. The hills and jungles of the Orissa States are a veritable museum of racial types, for they are the last refuge of some of the most primitive races of India, Santals Mundas, Oraons, Hos, Khonds, Bhuiyas, etc., entirely distinct in race and language from their Uriya neighbours. One tribe called the Juangs who haunt the jungles of Pal Lahara and Keonjhar near the mountain called Malayagiri wear nothing in their homes but small bunches of leaves and are probably the most primitive people in habit now left on the Indian peninsula. There are many aboriginal tribes in the Central Provinces States of Jashpur, Korea, Surguja, Kanker and Bustar, mainly Korwas and Gonds, but on the whole except for the very primitive Maria Gonds of Bastar, they are more alike in habit and assimilable to the ordinary Hindus around them than the wild tribes of the Orissa States. Owing to the presence of highly organised Roman Catholic and Lutheran Missionary establishments in Chota Nagpur, and the proximity of so many uncivilised tribes with crude religious beliefs, many missions have been established

along the Chota Nagpur border, particularly in Gangpur and Jashpur, and the existence of this large Christian population is going to be one of the problems of these States in the future. Bastar also has an American Mission actively proselytising amongst the tribes of that region and smaller missions occur sporadically in other States. A good deal of coolie recruitment for the tea-gardens of Assam goes on in these States, and the economic equilibrium of the country side in a state like Jashpur largely depends on remittances from these coolie emigrants.

15. *Mineral Resources.*—The States of Bihar and Orissa and the Central Provinces, particularly the Northern ones, are situated on perhaps the most highly mineralised belt of country in India. Jamshedpur, the centre of the Indian iron industry, is on the borders of Seraikela. Manganese, copper, iron, coal, limestone, mica, etc., occur in quantity all over this region. There is immense quantity of excellent iron ore available in Mayurbhanj and Bastar. A vast coalfield underlies much of Surguja and Korea. Talcher is also an outlying coalfield. These deposits have just begun to be worked, and undoubtedly in the near future with the development of railway communications there will be great industrial developments in this part of India.

16. *Forest Resources.*—These States also, particularly those of Orissa constitute one of the great forest areas of India, in some the forest revenue being actually the largest item of their income. Thanks to an ample rainfall, a fertile soil, a scanty agricultural population and inaccessibility, there still remain large areas of good forest, and now that the proper conservation of their forest resources is being seriously attended to in most of the States, there is every hope that these will be preserved for the benefit both of the future inhabitants of the State, and of the people of British India. For there is little doubt that any considerable deforestation of the States in the Orissa hinterland would have most detrimental effects on the climate of the coastal strip, already liable to disastrous floods.

17. *Agricultural resources.*—Nowhere in India outside these States have I seen large areas of good land enjoying a sufficient rainfall left uncultivated, for almost everywhere the pressure of the population on the means of subsistence is too great, but in some of these States notably Bonai, Bamra, Rairakhol and Bastar the land would support a very much larger population than that which it now carries, and there would seem to be great scope for increasing the area under cultivation.

18. *Communications in the Orissa States.*—Before the beginning of the present century the condition of communications through the Orissa States was deplorable, almost all being inaccessible during the Rains and it was not till the appointment of a separate Political Officer for these States in 1906 that any considerable progress was made. Since then there has been an immense change for the better, roads having been opened up everywhere and it is now possible, at least in the cold weather, to reach the capital of every State by car. The recently opened Talcher-coalfield Railway and the new Raipur-Vizagapatam Railway will also open up a large extent of country to the outside world, that was previously almost completely shut off.

19. *Communications in the C. P. States.*—The Central Provinces States that border on the Chhattisgarh plain have for long been quite reasonably well served as regards road communications, but until quite recently the States of Jashpur, Surguja, Korea and Chang Bhakar were perhaps the most completely land-locked area in India, and Bastar was also very isolated. Of late years owing to the construction of new railway lines and to the efforts of the Political Agent to get the States to construct proper roads, there has been a marked improvement; and on this tour, although some of the roads were very rough, the Political Agent and myself were able to reach the capitals of all these States by car with the exception of Chang Bhakar, which is still roadless and inaccessible. When the Central Indian Coalfields Railway is completed however across Korea and Surguja to Daltonganj, the present isolation of these States will be a thing of the past, and they should develop greatly.

20. *General impression of the Orissa States.*—The Orissa States have no big towns, the capitals being generally mere villages. There are no old buildings and the whole country looks as if it had been colonised less than 50 years ago. The public buildings in the States are all constructed exactly on the model of the Public Works Department buildings one would find in a British sub-division or small

district, and all seem to have been built in the last 30 years. The prevailing impression therefore is one of rawness or newness. The houses of the people are generally cutcha, with walls of wattle or bamboo and roofed with thatch, country tiles, or galvanised iron. The people on the whole seemed comfortable and happy. In some of the villages of Bamra and Bonai in particular I was greatly struck by the sleek and comely look of the women and children and the exceptional neatness and cleanliness of the villages, every house and compound being enclosed by a good bamboo fence. In Orissa moreover owing to the prevalence of the Jugganath car festival, in almost every village there is one wide open street like a Mall, which improves the amenities enormously. Except in the States, *e.g.*, Seraikela, Tigiria, Talcher, Ranpur that have either not been, or been very little under British management the public buildings on the whole are good, and adequate for their purpose.

21. *General impressions of the Central Provinces States.*—The States of the Central Provinces are not so green and well-watered as those of Orissa and communications are not so liable to interruption by rivers. As the main Bengal-Nagpur Railway line passes through the capitals of some of these States, they have developed into towns of quite a reasonable size, and even away from the Railway the capitals of Bastar, Surguja and Khairagarh are fair-sized towns. Houses are generally built of bricks in mud, or mud bricks, and roofed with country tiles. There are more old buildings, and the impression of newness does not strike one here so forcibly as in the Orissa States, although in point of fact the development of these States is also quite recent. The people are more rugged in feature than those of the Orissa States, and on the whole appear less prosperous; their villages also seem less tidy. The public buildings in all the States I saw with the exception of Jashpur (which has also recently come under management for the first time) were distinctly good, but, as in Orissa, nearly all are new and the product of periods of British management. There is little to choose between the two groups of States as regards State Offices. But the general standard of hospital and school buildings was perhaps higher in those of the Central Provinces States which I saw, than in the Orissa States, in Nandgaon, Raigarh and Surguja\* markedly so; while on the contrary in the Orissa States the jails were a definitely superior. The Orissa jails were almost all pucca and the only one of the Central Provinces State jails to compare favourably with them was that in Bastar, which however seemed to me to have been built on almost too lavish a scale.

22. *History of the States until they came under British Suzerainty.*—It would swell this report excessively to give a detailed history of these States and I would therefore refer those who desire this to publications like Aitchison's Treaties and the volumes of the Imperial and Provincial Gazetteers on the Orissa and Chota Nagpur and Chhattisgarh Feudatory States. A certain knowledge of the history of the States is however essential for a proper understanding of the Sanads granted to them later by the British Government, by which their present relations to Government are defined.

23. Before the time of the Mahrattas the hilly hinterland of the Orissa coastal plain was in the possession of a number of petty Chiefs, some descended from up-country Rajputs of good family who stayed and carved out principalities for themselves when returning from pilgrimage to Puri, others from servants of the Raja of Puri, formerly the leading Chief of that region, who had been granted land for faithful service, others from petty aboriginal Chiefs. When Orissa was ceded by Nawab Aliverdi Khan to the Bhonslas in 1751, most of these Chiefships exercised more or less independent authority in their remote fastnesses and had only been bound under the Moghuls to pay tribute and to render military service when necessary, and the Mahrattas continued this system, exercising little if any, more control. Round Sambalpur there were several very old and long established Rajput principalities that at one time used to be subordinate to the Maharaja of Patna, the most important of their number, and later to the Maharaja of Sambalpur. Rajput Chiefs also ruled large tracts of country in Bastar, Surguja, and Singhbhum, protected from outside interference by the inaccessibility and wild character of their country. Here and there Gond Chieftains maintained authority over their fellows. But with the exception of the Raja of Singhbhum,† by 1777 all had been reduced by the Mahrattas to the position of tributaries.

\* In Surguja the buildings in the capital are very good, but those in the mofussil are poor.

† The parent stock from which the present Rulers of Seraikela and Kharsawan have sprung.



24. Early last century, the British were engaged in the business of linking up their Bengal with their Madras possessions *via* the Orissa Sea Coast, a process which they completed in 1803 during the second Mahratta War. In order to safeguard the coastal area which they had first seized and to weaken the Mahrattas further, they then entered into agreements with the Chiefs\* of the hilly hinterland who had been subordinate to the Nagpur Government, whereby they acknowledged the supremacy of the British and agreed to pay tribute. The British inflicted a severe defeat on the Mahrattas towards the close of the year at the Barmul Pass and as a result of this and the battle of Assaye they compelled the Nagpur Government in the treaty of Deogaon concluded on the 17th December 1803 to agree to the cession of the coastal strip and to confirm the engagements made with the Hill Chiefs. The control exercised by the Mahrattas over their possessions may be said to have varied in inverse ratio to the distance of the latter from Nagpur, and for this reason was very loose and fitful at the extremities of their Empire. In the case of the Orissa Hill States, subsequently called the Orissa Tributary Mahals, it had mostly resolved itself into periodic levies, which they exacted when they were able.

25. As a result of the Treaty of Deogaon the Nagpur Government was also compelled to cede the territory round Sambalpur including the States of Patna, Sonpur, Bamra, Rairakhol, Bonai, Gangpur, Sarangarh, Sakti and Raigarh to the British, but in consequence of a change in the policy of the latter, these States with the exception of Raigarh were restored to the Mahrattas in 1806 as an act of grace, only to be made over again finally to the British by the Treaty of 1826. In January 1818 in consequence of a treacherous attack by the Mahrattas under Appa Sahib on the British Residency, the Nagpur Government was compelled to cede to the British Government the territories in Chota Nagpur comprising the States of Surguja, Jashpur, Udaipur, Chang Bhakar and Korea. When the Nagpur State finally lapsed to the British Government in 1856, the States which until then had remained subordinate to the Mahrattas came under British suzerainty, *viz.*, Bastar, Kanker, Kalahandi, Khairagarh, Nandgaon, Chhuikhadan and Kawardha, ordinarily called the Nagpur Zamindaris, and sanads of adoption were given to them in 1865 and acknowledgments of fealty were taken from them in 1866, on conclusion of Sir Richard Temple's enquiry into the status of the various Central Provinces Zemindaries and Chiefships.

26. There remain to be mentioned three States whose history is somewhat different from that of the others. Makrai is a small outlying State near Hoshangabad which struggled with varying fortunes against the Peshwa, Scindia and the Pindaris and was finally taken under British protection in 1844. It may however for convenience be grouped with the Nagpur Zamindaris. Seraikela and Kharsawan are offshoots of the old Singhbhum State, (see pages 327-328 of the 1930 edition of Aitchison's *Treaties*, Volume II) since escheated to the British Government in 1858 for its share in the rebellion of the previous year, which owing to its wild and jungly nature was never conquered by the Mahrattas. The Singhbhum Raja tendered his allegiance to the British Government in 1819, and an agreement was taken from him regarding his own State, oral agreements only being made with the two subordinate branches.

27. *History of the States after they came under British Suzerainty.*—Above I have briefly narrated the manner in which the British Government first came into political relations with the various States, and a few words must also be said about the political vicissitudes of the States since they came under British Suzerainty in so far as these affected their sanads. In the table below the States have been divided vertically according to the Province in which they now are, and also horizontally into their original historical groups, and the States that have been transferred from one local Government to another are shown in their original group as well as in their latter group, only in the former they are in italics and not numbered. This table will perhaps make it more easy to understand the various types of sanad met

\* At first agreements were made with the Rajas of Athgarh, Baramba, Daspalla, Dhenkanal, Hindol, Talcher, Khandpara, Narsinghpur, Nayagarh, Nilgiri, Ranpur, Tigiria, but a few months afterwards the Raja of Baud and Athmallik and the Raja of Keonjhar and Pal Lahara tendered their submission and also executed agreements. Athmallik and Pal Lahara were subsequently recognised as separate States, and separate agreements were concluded with them. No treaty was executed at this time with the Chief of Mayurbhunj because a Rani occupied the Gadi, and the succession was disputed after her death. In 1811 her successor executed ikrarnamas in 1812 and 1815 and a treaty engagement was executed in 1829.

with in the States of each province, as the original sanads in each group were the same in form, but the breaking up of the groups between provinces and the subsequent modification of the original sanads have now complicated matters.

Group.	Bihar and Orissa.	Central Provinces.
Orissa Tributary Mahals	1. Athgarh. 2. Athmallik. 3. Baramba. 4. Baud. 5. Daspalla. 6. Dhenkanal. 7. Hindol. 8. Keonjhar. 9. Khandpara. 10. Mayurbhanj. 11. Narsingpur. 12. Nayagarh. 13. Nilgiri. 14. Pal Lahara. 15. Ranpura. 16. Talcher. 17. Tigria.	
Sambalpur Garhjat States	18. Bamra .. .. 19. Sonpur. .. .. 20. Patna .. ← 1905 21. Rairakhol .. 22. Kalahandi .. ..	1. Sarangarh. 2. Raigarh. 3. Sakti. <i>Bamra.</i> <i>Sonpur.</i> <i>Patna.</i> <i>Rairakhol.</i> * <i>Kalahandi.</i> 4. Bastar. 5. Kanker. 6. Chhuikhadan. 7. Kawardha. 8. Khairagarh. 9. Nandgaon. 10. Makrai.
Nagpur Zamindaris ..		Chhattisgarh Feudatories.
Chota Nagpur States ..	<i>Surguja</i> .. .. <i>Jashpur</i> .. .. <i>Udaipur</i> → 1905 → <i>Korea</i> .. .. <i>Chang Bhakar</i> .. .. 23. Gangpur. 24. Bonai. 25. Seraikela. 26. Kharsawan.	11. Surguja. 12. Jashpur. 13. Udaipur. 14. Korea. 15. Chang Bhakar.

\* Kalahandi was originally one of the Nagpur Zamindaris, but since 1865 has been classed with and treated like the Sambalpur Garhjat States.

I note below what has happened in the case of each group since coming under British Suzerainty, where necessary making use of the relevant portions of Aitchison's Treaties and the Orissa and Central Provinces Feudatory States Manuals.

28. *History of the Tributary Mahals of Orissa.*—These States as previously explained came into relations with the British Government in 1803-1804 on the cession of Orissa by the Mahrattas. In the Regulations of 1805 all these States except Baud, Pal Lahara and Athmallik of which no mention was made, were exempted from the operation of the Bengal Regulations. This was stated to have been done on grounds of expediency only, as it was held that there was nothing in the nature of the connection of Government with the proprietors that would preclude their being brought under the ordinary jurisdiction of the Courts if it should ever be thought desirable. The office of Superintendent of the Tributary Mahals of Orissa was created in 1814, being held by the Commissioner of Orissa as *ex-officio* Superintendent. Baud and Athmallik were transferred to his control in 1837 from the jurisdiction of the South Western Frontier Agency, to which Gangpur and Bonai also belonged at one time. In 1839 and 1840 rules were framed for the administration

of civil and criminal justice in the States, but although they were not formally promulgated, they were communicated to the Rajas and directions were issued that the Superintendent should be guided by their spirit. By these rules the Rajas were, among other things, prohibited from exercising the powers of life and death, and from allowing the practice of *sati* and human sacrifices. In 1862 Sanads were granted to all the Chiefs guaranteeing them the right of adoption. In 1874 the hereditary title of Raja was conferred on them all. The Chiefs of the Mahals were persuaded in 1875 to abandon all monopoly of salt and all restrictions on its free transit through, or sale in, their territories. No agreements, however, were taken on the subject. In 1888 it was decided by the Secretary of State in Council, in accordance with a ruling of the High Court in the case of Mayurbhanj, that these seventeen States did not form part of British India, and, in consequence of this decision, new Sanads were given on the 27th October 1894 to all the Chiefs, defining their status, powers and position.

29. In 1908 revised Sanads were granted to all these Chiefs (except Keonjhar who had resigned the Chiefship and whose State was under Government administration) in consequence of a memorial presented by several of them to His Excellency the Viceroy. The definite limitation of criminal powers laid down in the sanads of 1894 was replaced by a clause requiring the Chief to conform to the instructions issued from time to time by the Lieutenant-Governor; and the clause of that Sanad whereby the right to catch elephants was granted as a personal concession was deleted, arrangements for catching elephants being included in the matters on which the Chiefs are required to conform to advice. The designation of the officer whom the Chiefs are to consult was changed from "Superintendent of the Tributary Mahals" to "Commissioner of the Orissa Division." Revised Sanads were granted in 1915 after the separation of the Province of Bihar and Orissa from the Province of Bengal. These Sanads are similar to those granted in 1908 except that the name of the Lieutenant-Governor of Bihar and Orissa in Council took the place of that of the Lieutenant-Governor of Bengal. The special provisions requiring the Chiefs of Athmallik, Baud, Mayurbhanj and Pal Lahara to pay nazarana on succession were omitted, the payment of nazarana having been abolished in 1911 on the occasion of the Coronation Darbar. A revised Sanad was not granted in 1915 to the Raja of Keonjhar as he had resigned in 1907 and his State was under the administration of Government; but in 1927 a Sanad based on that granted to certain of these Chiefs in 1915, was granted to the ex-Chief's son who had succeeded to the *gaddi* on the death of his father in 1926.

30. *History of the Sambalpur Garhjat States.*—These States with the exception of Kalahandi finally came under the suzerainty of the British Government as a result of the treaty of 1826, and their Rulers in 1827 executed Kabaliats by which their revenues payable to Government were fixed, nominally for 5 years, but at the expiry of that period the agreements were not renewed. A separate engagement was at the same time, taken from each Chief binding him to use rightly the judicial and police powers entrusted to him, the powers of the Chiefs in criminal cases being in practice limited to the infliction of 7 years imprisonment. Kalahandi remained subordinate to the Nagpur Government until the Nagpur State lapsed to the British in 1855 and has subsequently been grouped with the Garhjat States. Adoption sanads were granted to the Garhjat Chiefs in 1865, that to the Chief of Rairakhol being issued the following year as previous to that time he had not been recognised as a Feudatory Chief. In the following year Sanads, dated the 4th September 1867 were granted to these Chiefs recognising them as feudatories and fixing their tribute for 20 years. In February 1888 the tribute payable by the Chiefs was enhanced. On the 23rd December 1905, when the States were transferred from the Central Provinces to Bengal on the partition of the latter Province, fresh Sanads were granted to them fixing their tribute for 20 years with effect from 1888. In these Sanads the designation of the Chiefs was changed from Tributary to Feudatory. These Sanads were revised in 1915 to give effect to the changes arising from the separation of the Province of Bihar and Orissa from Bengal, and in the new Sanads the tribute payable by each State (which was enhanced in 1909) was fixed for a period of thirty years from 1909 to 1939. Since 1926 the confirmation of death sentences in these five States has been reserved to the Governor in Council.



31 *History of the Nagpur Zamindaris (with which may be associated Makrai).—* This group of States came under British Suzerainty on the lapse of the Nagpur State to the British Crown in 1855. In 1863 Sir Richard Temple, Chief Commissioner of the Central Provinces, submitted a report to the Government of India regarding the tenures and status of the various dependent Chieftains within the Central Provinces. He found that of all the Nagpur Zamindari group of States only the Raja of Bastar was in possession of any recognised authority in judicial matters and none of the group enjoyed as great powers as the States of the Sambalpur Garhjat group. Great difficulty was experienced in drawing the line between Zamindaris and States, e.g., Kawardha was included, while Pandaria, the elder branch of the same family, was excluded, and it is doubtful now whether some of those included in the category of States on the basis of his report (e.g., Khairagarh, Nandgaon, Chhuikhadan and Kawardha) would not more properly have been excluded, as they were only recent creations of the Nagpur Government which assessed them to tribute on the same basis as they levied rent on their Zamindars. After Sir Richard Temple's enquiry, an ikrarnama or acknowledgment of Fealty was taken from these Chiefs in 1866, including also the Garhjat Chiefs of Raigarh and Sarangarh and Sakti, although it was not till the end of 1870 that the Raja of Bastar, was induced to sign his bond, as he objected to the conditions about forest conservancy and tribute. Until 1882 the administration of all these Chiefs was supervised by the Commissioners of the Divisions and the Deputy Commissioners of the Districts to which the several States were attached. In that year, however, disturbances having broken out in Kalahandi, one of the States then in the Chhattisgarh Division—it was placed under the management of a Political Agent. Several other States in this Division had at the same time to be taken under direct management, and it was found impossible for Deputy Commissioners to supervise the work in them efficiently in addition to their ordinary duties. Eventually all the Nagpur Zamindari group of States, with the exception of Makrai, were placed under the Political Agent with headquarters at Raipur, subject to the general control of the Commissioner of the Chhattisgarh Division, and in 1905 the five States of the Chota Nagpur group transferred from Bengal were placed in his charge. In 1919 the Political Agent now known as the Political Agent, Central Province States, was placed in immediate subordination to the Governor in Council, Makrai at the same time being added to his charge.

32. *History of the Chota Nagpur States.*—All the States of the Chota Nagpur group were included in the South West Frontier Agency on its creation in 1833. The designation of the Agency was changed in 1854 to that of "Commissionership of Chota Nagpur." In 1905 Surguja, Udaipur, Jashpur, Korea and Chang Bhakar, the 5 States which originally came under the British Government in 1818 by cession from the Nagpur Government, were transferred from Bengal to the Central Provinces, when fresh sanads were given to them, while Gangpur and Bonai remained under the Commissioner of Orissa. Seraikela and Kharsawan remained under the Commissioner of Chota Nagpur, assisted by the Deputy Commissioner, Singhbhum, and from 1916 by the Political Agent, Orissa, until in 1922 they were transferred to the Orissa Agency.

They pay no tribute to the British Government, and were originally called political States to distinguish them from the tributary States; but, the Secretary of State having decided in 1891 that they, and the other Chota Nagpur States, were not part of British India, they were formally recognised as Feudatory in 1899, when Sanads were granted to them defining their status, powers and position with reference to the British Government. These sanads were superseded by revised Sanads granted in 1915 and differ from the previous ones in that the Lieutenant Governor of Bihar and Orissa was authorised to recognise succession on behalf of the Governor General, and the clause requiring payment of nazarana on succession was omitted. Sanads of Adoption were granted to the Chiefs in 1914. The hereditary title of Raja was conferred on the Chiefs in 1917. The Sanads of 1915 were revised in 1919 when fresh sanads were granted to the Chiefs on the lines of those granted in the same year to Bonai and Gangpur. In the new Sanads the specific control of Government over the appointment of State officers was withdrawn and the clause limiting the right to catch elephants was omitted, this latter matter being included among the important questions on which advice should be taken.

### CHAPTER III.

33. *Special features of the political practice of the Local Governments. Different types of sanads, etc.*—In this chapter I propose to discuss the special political practice built up by the Local Governments of Bihar and Orissa and the Central Provinces independently of the Government of India. This practice is necessarily based in the main on the authoritative documents defining the status and position of the States with reference to the British Government, and is explained in detail in the Manuals\* concerning the States issued by the Local Governments. In the case of the States of Bihar and Orissa and the Central Provinces, these documents can be divided into the four different classes below:—

- (a) *Orissa group.*—The sanads of 1915 granted to the States of Athgarh, Athmallik, Baramba, Baud, Daspalla, Dhenkanal, Hindol, Keonjhar,† Khandpara, Mayurbhanj,‡ Narsinghpur, Nayagarh, Nilgiri, Pal Lahara, Ranpur, Talcher, Tigiria and the similar ones granted in 1919, to the former Chota Nagpur States of Bonai, Gangpur, Seraikela and Kharsawan.
- (b) *Sambalpur group.*—The sanads of 1915 granted to the States of Bamra, Kalahardi, Patna, Rairakhol and Sonpur which are exactly the same in form as the sanads of 1867 granted to the Central Provinces, States of Raigarh and Sarangarh.
- (c) *Nagpur group.*—The ikramamas or acknowledgments of fealty given by the States of Bastar,§ Kanker, Makrai, Sakti, Kawardha, Khairagarh, Nandgaon and Chhuikhadan in 1866.
- (d) *Chota Nagpur group.*—The sanads of 1905 granted to the States of Surguja, Udaipur, Jashpur, Korea and Chang Bhakar.

Typical examples of each class are quoted in full in parallel columns in appendix V to permit of detailed comparison.

34. *Conditions common to all Sanads.*—Ignoring mere verbal differences, there is a great deal that is common to all four types of documents. The main conditions which recur in all are—

- (1) to pay a tribute, either fixed or subject to periodic revision as shown in the list on page 25,
- (2) to administer justice fairly and impartially to all and to suppress crime,
- (3) to maintain the rights of the people and to prevent oppression,
- (4) to refer serious criminal cases to the Political authorities for confirmation or trial (there are considerable differences in the powers of the different States in this regard. Those in the Orissa group are granted powers at the discretion of the Local Government, which generally in practice means they are given the powers of either a District Magistrate or a Sessions Judge, residuary jurisdiction remaining with the Political Agent. Those in the Sambalpur group are only required to submit sentences of death for confirmation and to comply with the general advice and condition. Those in the Nagpur group have to refer sentences of death and imprisonment for more than seven years for confirmation, while the Chota Nagpur group like those in the Orissa group are granted powers at the discretion of the Local Government, which has meant in practice that sentences of death or imprisonment over 7 years have had to be referred for confirmation),
- (5) to render assistance in capturing and to deliver up criminal fugitives from British India,

\* For some reason to which I have not been able to find any clue, copies of the Bihar and Orissa Feudatory States Manual were issued to all the States by one of the Political Agents, although the book is marked "confidential" and "for office use only", and is not suitable for distribution. It is from this book that Sir Leslie Scott got much of his ammunition for his argument before the Indian States Committee.

† Delayed till 1927 as in 1915 the State was under Government Administration.

‡ Vide paragraph 3 regarding the Mayurbhanj sanad,

§ Not actually signed by the Chief till 1870,

- (6) to make representations to the authorities regarding criminal fugitives from the States,
- (7) to levy no transit dues,
- (8) to obey such instructions and advice as may be given.

The Orissa and Chota Nagpur groups of States are not merely bound to follow advice given them but have also to consult the Political Agent in *all* important matters of administration and conform to his advice. Certain matters are also specifically stated in the sanad as being important.

35. *Conditions peculiar to one set of sanads.*—Conditions peculiar to one or more sets of documents are :—

- (1) In the sanads of the Orissa and Chota Nagpur groups there is a clause that no succession will be valid until it has been recognised by the Governor-General in Council, or by the Lieutenant-Governor on his behalf.
- (2) There is also a clause in the sanads of the same two groups of States laying down the procedure in the case of boundary disputes, which does not occur in the others.
- (3) In the sanads of the Sambalpur group there is a clause requiring the permanent maintenance of a Vakil at the Political Agent's headquarters, which does not occur in the others.
- (4) This group of States have also a clause in their sanads whereby they are liable to pay penal tribute if their Abkari arrangements are unsatisfactory and interfere with the arrangements in the adjoining British territory.
- (5) In the ikrarnamas of the Nagpur group there is a special clause binding them to conform to such forest regulations as may be prescribed. There is also a clause regarding the payment of nazrana on succession, but this has been obsolete since the general abolition of nazrana in 1911.
- (6) The Orissa group have to consult the Political Agent and take his advice amongst other things in the matter of catching elephants, while in the Chota Nagpur group the Rulers are allowed the right of catching them as a personal concession.

36. *Adoption Sanads.*—All the States in Bihar and Orissa and the Central Provinces have received adoption sanads except those in the Chota Nagpur group of the Central Provinces. The view of the Government of Bengal in 1860 when the question of granting adoption sanads was under discussion was that the Chota Nagpur States, which were then under that Government, should be “regarded as private property to which any adopted son, if adopted in conformity with law or family, or other local custom, having the force of law, would have an unquestionable right to succeed”. This view would appear to have been accepted by the Government of India, as no adoption sanads were then issued to the Chiefs of those States. Subsequently, however, 5 of these States (Jashpur, Surguja, Korea, Changbhakar and Udaipur) were transferred to the Central Provinces and the remaining 4 (Bonai, Gangpur, Seraikela and Kharsawan) came under the Government of Bihar and Orissa. Adoption sanads were issued to the latter in 1915, but none have yet been issued to the States transferred to the Central Provinces, an omission which would seem to be merely the result of the accident that the States were transferred to different political jurisdictions, and the Central Provinces Government did not move in the matter. It may be noted, however, that in 1926, when the Ruling Chief of Udaipur adopted a son, they did not question the propriety of his action. So in practice it may be inferred that the right of adoption has been conceded to all the States, but it would seem advisable to remedy the present anomaly by the grant of adoption sanads\* to these Central Provinces States as well.

37. *Relative advantages and disadvantages of different groups.*—The relative advantages and disadvantages of each group of States as disclosed by this analysis of the sanads may therefore be summed up below.

\* There are possibly special reasons against this in the case of Changbhakar, which was a creation of the Ruler of Korea and to which the latter has put forward a claim in default of heirs of the body.

1. *Orissa group*.—Excepting Bonai and Gangpur, which pay a low tribute liable to periodic revision and Seraikela and Kharsawan which pay none, these States all pay a very low fixed tribute. They are, however, subject to very considerable limitations on their internal sovereignty by reason of the control over their judicial powers exercised by the Local Government and the *obligation to consult the Political Agent and conform to his advice in all important matters*, and also in numerous specified ones, *viz.*, (1) settlement and collection of land revenue, (2) imposition of taxes, (3) administration of justice, (4) arrangements connected with excise, salt and opium, (5) arrangements for catching elephants, (6) concessions of mining, forest and other rights, (7) disputes arising out of such concessions, (8) disputes in which other States are concerned, with the result that they have in theory very little freedom of action as compared with the generality of States elsewhere, although in practice perhaps the control is not quite so close as might be inferred from the terms of the sanads.

2. *Sambalpur group*.—The tribute payable by these States is liable to periodic revision, and in consequence although still low, averaging some 2 per cent. of the gross revenue, is higher than that paid by the States in the Orissa group. It is also liable to be increased by a stated amount if the abkari arrangements of the States are unsatisfactory, a penal condition regarded by the Chiefs as a slur on their dignity, and correspondingly disliked. There is also the unenforced, but still existing theoretical liability to maintain a Vakil at Sambalpur. The powers of the Rulers of these States are, however, much higher than those of the Chiefs of the Orissa States, as they are only bound to send up cases involving sentence of death for confirmation, and to *accept advice when offered*.

3. *Nagpur group*.—These States all pay tributes which are liable to periodic revision, and in the case of the four States of Nandgaon, Khairagarh, Chhuikhadan and Kawardha, the rate of tribute imposed, ranging between 9 per cent. and 13½ per cent. of the gross revenue, is probably higher than that levied anywhere else in India. This is due to the fact that these four States were the creation of the Nagpur Government, which levied tribute on them at 33 per cent. of their gross revenue as if they were Zamindars, and in the early years of British control\* this practice was maintained. Although it is very doubtful whether these States would have been regarded as States in the light of our present knowledge, they were so classified however by Sir Richard Temple when distinguishing the holdings in the Central Provinces which should be regarded as States, from those which should be regarded as Zemindaris; but the full logical effect of this classification was not realised, and these 4 States continued to pay tribute calculated as if it were a Zamindari assessment. At subsequent revisions of the tributes, the ratio of the tribute to the gross revenue was greatly reduced, but the effect of the initial assessment of these States to tribute on a Zamindari basis has persisted to the present day in the high tributes paid by these States compared with their fellows. Two of the States in this group, Kanker and Makrai pay no tribute, while that paid by the remaining two Bastar and Sakti is relatively low.

The Chiefs of the Nagpur group of States have not such full criminal powers as those of the Sambalpur group, as they have to refer sentences of imprisonment over 7 years for confirmation as well as sentences of death, but their powers are higher than those granted to most† of the Chiefs of the Orissa group. They are bound to comply with any forest regulations prescribed by the Local Government, and with any advice offered to them, but they are not compelled in all important matters to ask for advice like the Orissa States.

4. *Chota Nagpur group*.—The tributes of the Chota Nagpur group are liable to periodic revision like those of the Nagpur group, but are fixed very low. These States are also subject to the same wide limitations on their internal sovereignty as the Orissa group of States, except that their Rulers have been given the right to catch elephants as a personal concession. This concession however is meaningless in practice as there are now no elephants in the Chota Nagpur States and the Political Agent never refuses to let the Orissa Chiefs catch elephants when they want to. In other words these States suffer from all the limitations on their

\* The Nagpur State and its dependencies lapsed to the British Government in 1855.

† A few of these only enjoy sessions powers, *vide* statement at pages 27—30 showing the powers of the different Rulers,

sovereignty that the Orissa States do and in addition they have to pay a tribute liable to periodic revision. The States might therefore be graded on the basis of the powers enjoyed by them under their sanads in the four descending categories—

- ial
- (1) Sambalpur group,
  - (2) Nagpur group,
  - (3) Orissa group,
  - (4) Chota Nagpur group,

but as the recent policy in the Central Provinces has been to give the States as much freedom as possible and to treat all their Chiefs on substantially the same lines, despite the theoretical differences in their powers, perhaps in practice the order of the last two groups should be reversed.

38. *Inter-jealousies of the States.*—Each group is jealous of the advantages enjoyed over it by the other groups and blind to the disadvantages, and all naturally would like to be levelled up to the position of the highest. Thus the Sambalpur Chiefs, who pay a variable tribute, are jealous of the fixed tributes paid by the Orissa Chiefs and argue that as they are in the highest position in the matter of powers, they ought likewise to be in a better, or at least in as good a position in the matter of tribute. The Orissa Chiefs looking at the relatively greater freedom from restrictions enjoyed by the Sambalpur Chiefs, argue that this is unfair, as the Orissa States being in a higher category in the matter of tribute, ought to enjoy more freedom from restrictions than the Sambalpur Chiefs instead of less; and so on the argument goes in a circle. We are not however concerned merely with the removal of anomalies within these groups of States, but with the much wider question of removing anomalies between them and States in other parts of India. One definite anomaly which should however be removed as soon as possible is the fact that the Chota Nagpur group of States have to pay duty on their supplies of Ganja and Bhang, while the rest get them duty free. There obviously should not be this discrimination between the States, and probably it is only because of difficulties connected with the provincial settlements that the practice has continued so long.

39. *Decision that these States were not part of British India.*—It will have been seen from the comments of the Bengal Government in 1860 quoted in paragraph 36 that the Chota Nagpur States were not then regarded as States, but as estates or Zemindaris, and this view was endorsed by the Government of India in their resolution of the 5th March 1870 regarding the now repealed Nazrana rules. The same was the case with the Orissa group and the Nagpur group, then styled the Orissa Tributary Mahals and the Nagpur Zemindaris respectively. The position of the States in the Central Provinces was clarified in 1866 as the result of Sir Richard Temple's report when the various States and Zamindaris were distinguished. This classification covered the case of the Sambalpur group of States which were then in the Central Provinces, but their status was never so doubtful as that of the other States, as they were known to be the surviving representatives of old and once powerful Rajput States. In the case of the Orissa Tributary Mahals however, the legal position as to whether they were States or parts of British India was not settled authoritatively till 1888, when the Secretary of State as the result of discussions originating from a High Court declaration that Mayurbhanj was outside British India, decided finally that these States were not to be regarded as forming part of British territory. In the case of the Chota Nagpur States it was not till 1891 that a similar decision was come to. Previous to these dates there had been a good deal of uncertainty over their position both in the matter of legislation and administration, the Government of India on the whole inclining to treat them if they had been States, and the Local Government and its officials more as if they had been Zemindaris. In practice the Local Government never hesitated to interfere to any extent with the administration of any of the States when it considered it expedient to do so.

40. *Close control exercised by the Local Governments.*—Having regard to the conditions in the sanads and ikrarnamas, and to the past history of these States it is clear that the Local Government have both the right to exercise, and in practice have exercised, a control over the administrations of the States which is closer than that enforced anywhere else in India over States of corresponding size and importance. The control varies in degree with the different groups as explained

in paragraph 37, and in the Central Provinces has generally been lighter than in its neighbouring province.

41. *The volume of case work in the Orissa States.*—Of the States under the Bihar and Orissa Government, only\* the Sambalpur group enjoy full jurisdictional power subject to the need for confirmation of death sentences, and in consequence a great deal of residuary jurisdiction falls to be disposed of by the Political Agent. To assist him in this the Political Agent has a whole time Assistant Political Agent, who is an Indian Civil Service Officer, and a part time *ex-officio* Assistant Political Agent in the Deputy Commissioner, Angul. The Deputy Commissioners of Singhbhum and Sambalpur, and the District Magistrates of Puri and Balasore have also been empowered to try the Sessions cases from the neighbouring States. The figures of the number of cases tried by these latter officers were not available in the Political Agent's Office, but they presumably are small. The average figures of the last five years 1926-1931 for the Courts of the Political Agent, Assistant Political Agent and the Deputy Commissioner, Angul, are given below.

		Criminal.	Civil.	Miscellaneous.	Sessions.
Political Agent and Commissioner	..	51	85	167	..
Assistant Political Agent	.. ..	31	89	177	5
Deputy Commissioner, Angul	.. ..	26	38	26	4

This represents a volume of direct administrative work discharged by the Political Officer without parallel anywhere else in India save perhaps in some of the Agencies in the Bombay Presidency where there are innumerable very petty States. The burden of case work is very great and necessarily interferes with the more usual duties of a Political Agent. In the Central Provinces where some of the States, *e.g.*, Changbhakar, are quite as backward as any in Orissa, sentences of imprisonment over 7 years require confirmation, but the work involved in confirming a case is obviously very much less than that spent in its actual hearing and writing a judgment.

42. *Defects of system of reserving residuary jurisdiction.*—If a Chief hears a case and passes judgment himself, even although it is not final till it is confirmed, he has an excellent opportunity both from his own practical experience and from the comments of the Political Agent when confirming the sentence, of learning to deal with judicial work properly and to stand on his own legs, which he will never get if the case is simply taken out of his hands and tried by an external court. The main feature of the Bihar and Orissa political practice that seems to me to require change is this exercise over State subjects of residuary jurisdiction by the Political Agent or his assistants. What should be aimed at as far as possible is that every State should be placed in a position to consume its own case work and not have to depend on an outside authority. Injustice can be prevented by requiring sentences of over a certain size in criminal cases to be confirmed, and if necessary by allowing an appeal in civil cases over a specified magnitude, but I shall return to this question in a later chapter, when discussing in detail the changes that are desirable in the present sanads. Such an alteration would result in a great diminution in the work of the Political Agent.

43. *Large number of miscellaneous cases.*—Another feature worthy of note in the figures given above is the great volume of miscellaneous case work. These cases arise from petitions filed in the office of the Political Agent against the orders of the Ruling Chiefs, and although the Feudatory States Manual does not encourage† the reception of such petitions, the fact that the Political Agent has such large discre-

\* Please see paragraph 3 as regards Mayurbhanj.

† I understand that the practice is for these petitions to be registered as Revision cases in the Political Agent's Office, but the Political Agent only interferes to prevent apparent injustice or oppression, and does so by a confidential letter of advice to the Chief, the only entry made in the order-sheet of the case being a note that the Chief has been addressed.



tionary powers of control renders it inevitable that a greater volume of petitions will be received by him and that he will have to interfere in many more instances than would be the case if the States were full powered. This is naturally not liked by the Chiefs, and the Ruling Chief of Kalahandi in particular represented that it was derogatory to his status and inconsistent with the powers given to him under his sanad (*i.e.* full powers in civil, criminal and revenue matters subject to the obligation to refer death sentences for confirmation) to treat these petitions like revision applications. With a transfer of more final authority to the Chiefs the amount of these cases would inevitably become less also.

44. *System of having technical Agency Officers.*—Another effect of the present system is that to aid the Political Agent and Commissioner, Sambalpur, in the discharge of his heavy direct responsibilities, the practice grew up of having certain technical Agency officers to assist him, as well as his Assistant Political Agent, *viz.*, an Agency Forest Officer, an Agency Inspector of Schools and an Agency Engineer, the cost of whose posts were distributed amongst the States which they served. Curiously enough, however, there never appears to have been an Agency Medical Officer to supervise medical development in these States, although in the past in many parts of India, States used to avail themselves of the services of the I. M. S. officers at the Agency headquarters for this purpose, and perhaps as regards some at least of the States, it is in medical work and equipment that there is the greatest scope for improvement.

45. *Progress made since creation of separate Political Agents.*—When the States of Bihar and Orissa were dealt with by the Commissioners of Orissa and Chota Nagpur they were very backward and uncivilised, and it was not till the appointment of a separate Officer to be Political Agent for the States in 1906 that much real advance was made. Since then however the progress has been astonishingly great. Roads have been opened in every direction and innumerable bridges built. Good public buildings have been provided in almost every State. (The exceptions are States like Seraikela, Talcher, Tigiria, Ranpur, which have either never, or not for many years, been under minority administration, or which are too poor even to be able to function properly as States). Settlements have been carried out on British Indian lines in the great majority of States to the immense benefit of the people. Forests have been conserved and working plans drawn up. Schools have been opened everywhere and most States now possess a High School sending pupils to the Ravenshaw College, Cuttack, or at least a Middle School, passing on its pupils to the nearest High School. The progress made therefore in the time of the Political Agents with the help of the Agency Officers has been immense, and in my view, in no other way perhaps could these States have been developed so fast. I am therefore far from blind to the good results of the system of employing such Officers; but there are some strong objections inseparable from their employment, a fact which is presumably recognised by the Local Government also; for I understand that at the instance of the Political Agent it has recently been decided to discontinue the post of Agency Engineer, the one of the three Agency posts which has aroused the most discontent.

46. *Agency Engineer.*—To ensure punctual payments for the works which the Agency Engineer carries out on behalf of a State, the State has to keep separate funds in its Treasury in a separate safe, whose keys remain with the Agency Engineer. This is felt as a hardship and the loss of control over giving out contracts is naturally not liked. To furnish programmes of works begun in a minority, States have been compelled against their desire to keep on the Agency Engineer after the Ruler got his powers. The late Agency Engineer, Mr. Beckett, who served in that post for some 19 years, did magnificent work in these States, and most of their present outfit of roads, bridges and buildings they owe to him. But perhaps because of his very virtues he seems in one or two cases to have been allowed too free a hand, and to have built on an unnecessarily large and expensive scale having regard to the needs of the case and the finances of the State. I would particularly specify in this connection the magnitude of the raised road running through Keonjhar, and the size of the Cutcherry and Jail there compared with the relatively modest house built for the Chief. Apart from particular objections, there are the general objections that when an officer is serving several

masters, if he is in any degree lazy or dishonest, he can play off the claims of one State against another, and whether he does so or not, some of the States will probably imagine that they are not receiving their due attention. Again it is difficult for the Agency officers to confine themselves to their proper functions as advisers, as the State Departmental Officials are very apt to look to them, and not to the State authorities for orders. The post of Agency Engineer is one in which from its nature it would be quite impossible to please everyone concerned, and now, when almost every State has been brought up to date and given a good outfit of public buildings, the arguments for the retention of such an officer do not in my view counterbalance the difficulties and friction apparently inseparable from his appointment. I therefore entirely agree with the contemplated abolition of this appointment.

47. *Agency Forest Officer.*—The forests in the Orissa States are amongst the best in India, and it is most desirable not only in the interests of the States, but also in the interests of British India that they should be properly conserved. For deforestation of the area from which the Orissa rivers draw most of their water, would increase greatly the already excessive liability of the coastal plains to disastrous floods. In former times some of the Rulers in order to raise money for their private purposes, devastated the forests in their States by reckless cutting. Thanks largely to the Agency Forest Officer, almost every State with any considerable forest area has now got a trained forest officer and has had working plans prepared for the exploitation of its forests. The Rulers on the whole moreover have been awakened to the fact that reckless exploitation of the forests may help for the moment, but will ultimately reduce their revenues greatly. A good deal of his task has therefore already been done by the Agency Forest Officer, and the question whether conditions warrant his retention in the face of the general considerations against the employment of Agency Officers which have been indicated above merits careful examination. I understand that the present Political Agent, who has intimate knowledge of these States, is of opinion that of all the Agency officers, perhaps the Forest Officer is the one it is most desirable to retain. On the other hand however in the Central Provinces States there is no Agency Forest Officer, and no very apparent ill effects result from this lack, although there is no great dissimilarity in local conditions. At the present time twenty of the Orissa States utilise the services of the Agency Forest Officer, only Mayurbhanj, Hindol, Ranpur, Sonpur, Talcher, and Seraikela not doing so. Of these Mayurbhanj has got a European Forest Officer of its own, and the others are small States without much forest area. Apart from the States under management and those with restricted powers which have no option in the matter, the States of Kalahandi, Baud, Dhenkanal, Kharsawan and Tigiria avail themselves of his services voluntarily. It is therefore clear that some at least of the States appreciate his services. My personal view is that if, in addition to the States under management, sufficient States voluntarily ask for his services to make it financially feasible to retain them, this should be done, but that it is impolitic to make the continued retention of his services one of the conditions enforced on a young Chief by executive order when he is given his powers, as has happened in the case of Keonjhar, Daspalla, Athmallik, Narsingpur, Pal Lahara and Nilgiri.

If, as is proposed in Chapter VI of this report all the States of Bihar and Orissa and the Central Provinces are eventually brought under one Agent to the Governor General it might be possible to increase the number of States voluntarily availing themselves of his services, and in that case any element of compulsion in this regard at present employed could be avoided.

48. *Agency Inspector of Schools.*—The late Agency Inspector of Schools, Mr. Dippie, served in the States for many years and effected a very great improvement in the educational facilities available in them. In 10 of the bigger States there is a High school, and in all but Rairakhol and Pal Lahara there is at least a Middle school. Primary schools have been opened everywhere. Girls' education also has received a start, although in this respect, particularly in the quality of the school buildings thought suitable for Girls' Schools, Orissa lags behind the Central Provinces. There are 8 Upper Primary Girls' schools and 84 Lower Primary ones and the few girls who desire more than Primary education generally get co-educated with the boys at the local Middle or High Schools. Some States, e.g., Dhenkanal spend as high as 15% of their revenue on education and compare very favourably with other parts of India. The educational arrangements of most of the States



are now reasonably good and if the post of Agency Inspector of Schools were to be abolished, it is possible that the work would go on of its own momentum, especially as the people of the States and their Rulers are generally alive to the advantages of education. On the other hand probably the function of the Agency Inspector of Schools is that attended by least friction. His services are employed in 18 out of 26 States, 8 having independent arrangements. There are definite educational standards laid down by an outside body to enforce, which is not the case in forest administration or in engineering work. In the Central Provinces States the only Agency Officer found necessary is the Inspector of Schools, where he is employed voluntarily by all the States in the Agency. There is therefore a reasonably good case for the retention of such an officer provided his services have not to be forced on the States.

At present what happens is that the Agency officials are employed by all the States under management, and their continued employment is generally a condition in those States whose Rulers have not yet been given full powers or whose powers have been subsequently restricted.

49. *Restricted powers in the Orissa States.*—At the present time there are no less than 8 of the Orissa States whose Rulers have their powers restricted, three, viz., Bonai, Nilgiri and Rairakhol for definite maladministration, and the other five, viz., Keonjhar, Athmallik, Daspalla, Narsinghpur and Pal Lahara not yet having been given their full powers. For it is the practice of the Local Government to restrict the powers of a young Ruler for some years after a State is released from management so as to give him a probationary period before he is fully launched out on his own, and to ensure continuity in the administration. I quote below the conditions laid down in the case of the Chief of Daspalla when the State was released from management on the 3rd March 1930, as these are typical and there is no doubt that the Chief is above the average of young Rulers and not below it.

“(1) That the Chief will continue to employ X Y Z the present Superintendent, as his Diwan, paying him the same emoluments as he now enjoys, and that any change in the post of Diwan during the next five years shall have the prior approval of the Political Agent and Commissioner.

(2) That the Chief will continue to employ the services of the Agency Forest Officer, the Agency Inspector of Schools and the Agency Engineer.

(3) That the Chief will for the present submit a copy of his budget in advance for the approval of the Political Agent and Commissioner, and that any departure from the budget so approved shall likewise have the approval of the Political Agent and Commissioner.”

At the same time in addition to these, detailed instructions were issued under clause III of the sanad by the Local Government regarding the administration of Justice in the State.

50. *Restricted powers in the States of the Central Provinces.*—It has been customary in the past in the States of the Central Provinces also, to restrict for a few years the powers of a Chief after his investiture until he has learned to use them with discretion. One illustration will suffice to show the reason for this. The Chief of Nandgaon as boy at the Rajkumar College, Raipur, was a remarkably promising pupil and probably in view of this, when he was invested with powers in 1928, no restrictions were imposed. The minority administration then handed over to him the large reserve of 24 lakhs which it had built up laboriously out of an annual State income averaging about 7 lakhs. Within 2 years he had spent the whole of this as well as the ordinary revenue of the States, i.e., he had been spending at the rate of 19 lakhs a year when the annual revenue of the State was only 7 lakhs. In consequence of this and other defects in his administration, he has since been put under financial restraint and has been required to employ a Diwan approved by the Local Government. I quote below the restrictions imposed on the Raja of Raigarh when he was invested in February 1927 as I understand that although these have since been removed in March 1931, they are likely to serve as a model for those imposed on the young Rulers of Kawardha and Makrai who are going to be invested with powers shortly, as the Raja of Nandgaon's unfortunate example will probably deter for some time to come the Local Government from again trying the experiment of giving a young Ruler full powers straight away.

1. *Restrictions imposed on the Chief of Raigarh in 1927.*—"The Ruling Chief shall appoint as his Diwan a person approved by the Governor in Council and shall give him his support in the administration of the States.

2. The Ruling Chief, should he desire to do so, shall exercise the powers of the Court of Sessions sitting jointly with the Diwan. In the event of there being a difference of opinion between the Ruling Chief and the Diwan in any case it will be submitted for the orders of the Political Agent. When the Chief does not sit, the Diwan shall exercise alone the powers of the Court of Sessions.

3. The Ruling Chief shall submit the budget of the State for the approval of the Political Agent, and shall conduct his financial administration in accordance with the orders passed.

4. The Ruling Chief shall respect the settlement which has just been completed in his State and shall respect and abide by the provisions of the Wajib-ul-arz. He shall also complete the settlement operations in the zamindaris in accordance with the advice of the Political Agent."

51. *Objections to such restrictions.*—However advantageous a probationary period after a Chief gets his powers may be in training him to use them wisely, it is nevertheless resented by the Chiefs, who argue that the fiduciary control of a State by Government during a minority should cease when the Chief attains his majority, as he is then entitled to step into his full heritage without restrictions; and it is not now the practice of the Government of India to enforce it in the States under their political control without very special reasons. In view of the long dependence of these States on the control of the Local Government and their relative inability in consequence to stand on their own legs compared with States of similar size elsewhere, it would probably in some cases lead to disaster to stop the practice altogether; but if it is maintained, the restrictions should be the minimum calculated to guard against such disaster, and should only be for a limited period of years, say until the Chief attains the age of 25 after which they would, automatically, come up for revision. If a Chief is ever going to be a fit Ruler he should have learned to be so in that time: if however he is hopeless and it is considered impossible to give him his full powers under the sanad, in my view the only conditions still imposed after the original term is up, should be that he employs an approved person as Diwan, to whom he must delegate such judicial and other of his powers as are thought necessary: but other conditions should not be maintained as has been done in the case of the Raja of Keonjhar. This Chief was given powers subject to certain restrictions in January 1929, and recently in October 1931 when he was 26 years of age these restrictions were relaxed; but the Raja is still subject to the conditions—

- (1) that he employs a Diwan approved by Government,
- (2) that he continues to employ the services of the Agency Engineer and the Agency Forest Officer,
- (3) that he will submit a copy of his budget in advance for the approval of the Political Agent,
- (4) that he delegates his judicial powers (those of a Sessions Judge have been conferred on him) to the Diwan,
- (5) that he refers cases in which Europeans are concerned to the Political Agent,
- (6) that he refers all capital sentences to the Political Agent for confirmation,
- (7) that appeals from the orders of all criminal, civil and revenue courts should be to the Diwan,
- (8) that the Diwan should exercise in revenue matters the powers of a Collector.

Certain of these restrictions simply amount to the instructions which the Local Government are entitled to issue under the sanad of the State, and others are corollaries of (1), but conditions (2) and (3) seem to me of doubtful necessity in view of the existence of (1). If after a suitable Diwan approved by Government has been appointed, and in spite of his presence the Chief wastes the financial resources of the State, then the Local Government might if necessary take action to control his budget, but I doubt the fairness of continuing such a restriction when the Chief has had no real opportunity of showing his unfitness to have financial responsibility.

52. *Prevalence of minority administrations.*—I have noted above the more striking features of the practice of the Local Governments in regard to the States, and commented on it where necessary. There is however another peculiar feature of the States of this area which is not the result of any policy on the part of the Local Government, but has been none the less of the first importance in bringing the States of both provinces to their present stage of advancement. I refer to the extraordinary prevalence of minority administrations. A list of these during the last 50 years is given below :—

*Bihar and Orissa States.*

Serial No.	Name of State.	Period of management.		No. of years (management since 1882).
		From	To	
1	Athgarh .. .. .	1918	to-date	14
2	Athmallik .. .. .	1918	1925	7
3	Bamra .. .. .	1920	to-date	12
4	Baramba.. .. .	1881 1922	1907 to-date	35
5	Baudh .. .. .	1913	1925	12
6	Bonai .. .. .	1902	1925	23
7	Daspalla .. .. .	1914	1929	15
8	Dhenkanal .. .. .	1877 1918	1905 1925	30
9	Gangpur .. .. .	1918 1930	1920 to-date	4
10	Hindol .. .. .	1906	1912	6
11	Kalahandi .. .. .	1882 1897	1894 1917	32
12	Keonjhar .. .. .	1907	1928	21
13	Khandpara .. .. .	1922	to-date	10
14	Kharsawan .. .. .	1902	1913	11
15	Mayurbhanj .. .. .	1881 1912	1890 1920	16
16	Narsinghpur .. .. .	1890 1912	1907 1930	35
17	Nayagarh .. .. .	1898	to-date	34
18	Nilgiri .. .. .	1893 1905 1913	1898 1908 1925	20
19	Pal-Lahara .. .. .	1890 1912	1907 1925	30
20	Patna .. .. .	1871 1924	1895 to-date	21
21	Rairakhol .. .. .	1906	1916	10
22	Ranpur .. .. .			
23	Seraikela .. .. .			
24	Sonpur .. .. .			
25	Talcher .. .. .	1890	1901	11
26	Tigiria .. .. .			

*Central Provinces States.*

Name of State.							Period of management.	No. of years (management since 1882).
Bastar	..	..	..	..	..	..	1891 to 1908 1921 up-to-date	28
Changbhakar	..	..	..	..	..	..	Not under management	..
Chhuikhadan	..	..	..	..	..	..	1898 to 1915	17
Jashpur	..	..	..	..	..	..	1923 to 1928 1931 to date.	6
Kanker	..	..	..	..	..	..	1889 to 1894 1925 to date.	12
Kawardha	..	..	..	..	..	..	1884 to 1908 1920 to date.	36
Khairagarh	..	..	..	..	..	..	1873 to 1883 1908 to 1915 1918 to date,	22
Kok'rea	..	..	..	..	..	..	1909 to 1925	16
Makrai..	..	..	..	..	..	..	1929 to date	3
Nandgaon	..	..	..	..	..	..	1888 to 1891 1897 to 1927.	33
Raigarh	..	..	..	..	..	..	1885 to 1894 1917 to 1927.	19
Sakti ..	..	..	..	..	..	..	1875 to 1891 1914 to 1915.	10
Sarangarh	..	..	..	..	..	..	1878 to 1889 1890 to 1909,	26
Surguja	..	..	..	..	..	..	Not under management	—
Udaipur	..	..	..	..	..	..	1900 to 1912 1925 to date.	19

*N B.*—In the case of Changbhakar a period of 4 years when it was administered by a cousin has been excluded from consideration, in the case of Korea a period of 2 years when it was in charge of a Zamindar of the State, and in the case of Makrai a period of 7 years when it was under a Council of Regency, as these can scarcely be said to have been periods of Government management.

It is impossible to determine whether the abnormally short lives enjoyed in the past by the Orissa and Central Provinces Chiefs were due to the climate or to the debauched habits that used to prevail amongst them. I incline to the latter view, as these States are not unhealthy, and if so, the Rajkumar College at Raipur separating the young future Chiefs from the zenana influence during the most critical years of their lives will undoubtedly do much to improve matters. Study of the figures will show that the average duration of minorities for all the States during the last 50 years has been 16 years or roughly one-third, a state of matters which I should think without parallel elsewhere in India. Ten States (Baramba, Dhenkanal, Kalahandi, Narsinghpur, Nayagarh, Pal Lahara, Bastar, Kawardha, Nandgaon, Sarangarh) have been under minority administration for more than half that time. Only six States have never been under minority administration at all. Their names are worth noting, Ranpur, Seraikela, Sonpur, Tigiria, Changbhakar and Surguja, because with the exception of Surguja which has recently had good buildings erected at its capital, these States have the distinction of having the worst public buildings and roads of all the States, especially away from their headquarters towns. Talcher, which has not been under administration since 1901, is their sole rival in bad pre-eminence. During minorities the administration is conducted by nominees of the Local Government, generally members of the Provincial service in the case of the larger States, and members of the subordinate or clerical service or pleaders in the case of the smaller States, although on occasion in the larger States like Mayurbhanj or Bastar an I.C.S. officer has held charge. These officers inevitably model their administration on that of the British districts

they have been accustomed to and have played a great part in bringing the States up to their present pitch of development.

53. *Influence of Rajkumar College, Raipur.*—Another most important factor in the advancement of these States has been the Rajkumar College at Raipur. It has had a tremendous influence on the Chiefs of those parts, transforming what at the start is rather poor material into well-mannered and well-intentioned young men. In my opinion the products of the Raipur College, despite the less promising raw material, will compare very well with the products of any other Chief's College in India. The difference between the Chiefs or sons of Chiefs who had been educated there and those who had been brought up in the Ravenshaw College, Cuttack, or in Calcutta was marked, and for that reason in the comparative statement at Appendix IV, I have entered the place where each Chief was educated, as it has importance as indicating the type of person the Chief is likely to be.

54. *Begar.*—It will be noticed from column 25 of the comparative statement at Appendix IV that "Begar" or so-called "forced labour" exists in nearly all the States. This is a feature of Indian life which the British Government has tried hard to eradicate in British India, and its prevalence in these States which have been so much under the control of the Local Government may be matter of surprise. But in my opinion this is an inevitable stage of development in backward and thinly populated areas, and will only be abolished with the passage of time. The only States where it appears really to have been abolished are Mayurbhanj, Seraikela, Kharsawan and Kalahandi though several other States claim to have done this also. What happens in fact, *e.g.*, in Talcher, is that the Ruler commutes all "Begar" in return for a 4 or a 5 annas enhancement in rent, then finds that either he cannot meet or is unwilling to face the cost of doing the work by ordinary paid labour, and so the "Begar", or at least a part of it goes on as before. The danger of this sort of swindle is very real, and I do not believe that the abolition of "Begar" is practicable except in a State like Mayurbhanj which is about as up-to-date as any part of British India in its administrative methods, or in a small State like Seraikela situated near the big industrial settlement of Jamshedpur, which would lose all its cultivators if it oppressed them seriously by "Begar". My view therefore is that it is far better to try to regulate "Begar", as has in fact been done by the Political Agents or the Local Governments than to attempt in present circumstances to eradicate it, when this attempt is foredoomed to failure. If the "Begar" is confined to repairing village roads and schools (which incidentally are for the benefit of the villagers themselves), to attending responsible State Officers on duty, and to reasonable demands on the part of the Ruler as regards shikar and palace duties, there is not much harm in it, whereas the abolition of "Begar" if really carried into effect would tend to the abandonment of all village roads and schools and be to the detriment of the people themselves. In States like Bastar also, the labourer although not paid a full day's wage is paid something, and the hardship is reduced accordingly. It is when "Begar" is extended to constructing and repairing trunk roads, building palaces and public buildings, and attending on very subordinate and irresponsible State Officers, and when the demands for shikar or other purposes by the Ruler are excessive, that it becomes burdensome.

55. *Conclusions re Orissa States.*—I have discussed above at considerable length the special features that distinguish both the Bihar and Orissa and the Central Provinces States and it is desirable to bring my remarks to the focus on the main point, which is whether or not these States at the present time are really backward as compared to the generality of other States in India of similar size, as, if not, the justification for maintaining closer control over them than over similar States elsewhere vanishes. The most noticeable feature in the States of Bihar and Orissa is their very close resemblance to the neighbouring British districts. In every branch of administration they have followed in whole or part the British model, and where necessary have adopted British legislation. In all sorts of small ways also this dependence shows itself, *e.g.*, the Guest Houses in the States are generally termed Inspection Bungalows: in Pal-Lahara I noticed a police constable wearing a buckle inscribed with the legend "Raj Pal-Lahara, Zila Cuttack": in the general review of administration of the States prepared by the Political Agent's Office, the figures of the number of days spent on tour by the Rulers are given, just as if they were Government officials: after visiting a State the Political

Agent sends his inspection notes to the Ruler for information: the separate branch of the office that deals with the States under Minority Administration is called the Court of Wards Branch, and so on. In view however of the various factors discussed above, which may be summarised as:—

- (a) the very comprehensive control over the States exercised by the Political Agent,
- (b) the existence of Agency Officers supervising departmental work in the States,
- (c) the proportion of direct British administration experienced during Minorities,
- (d) the training most of the subordinate State officials receive in Provincial institutions such as Police Schools and Forestry Schools,
- (e) the borrowing of many of the senior officials from British service,
- (f) the complete lack of any pre-existing system of administration worthy of the name,

this imitation is in no way surprising and the net result has been the approximation of administrative standards in these States to those of British districts. The degree of approximation of course varies from State to State, but in several it is little if anything short, and in my opinion the general average level of administration compares on the whole very favourably with that prevailing in many of the States in Rajputana, Punjab and Central India whose Rulers have no restrictions on their jurisdiction, while in some States it is considerably better. There is nothing indigenous about their present development however. It has been implanted from outside and in some of the States is far from deep-rooted. So complete removal of control over their internal affairs would probably in the smaller and more primitive States entail a relapse into the relative barbarism from which people were lately rescued. Having regard to the physical conditions of these States, their general inaccessibility, and to the rude and barbarous nature of many of their inhabitants and liability to armed risings, I doubt whether without the close and paternal control exercised in the past by the Local Government, they could have been brought to their present degree of advancement.

56. *Conclusions re Central Provinces States.*—Most of what has been said above applies with but slight change to the States of the Central Provinces. Although in the time of the Mahrattas the Central Provinces States were in a position of greater subordination than the Orissa States owing to their greater proximity to Nagpur, there is no doubt that the practice of the Central Provinces Government based on the *ikrarnamas* of 1866 and the sanads of 1905 has been to give the States under them a somewhat greater freedom from control than has been the case with the Bihar and Orissa Government. The Political Agent does not exercise residuary jurisdiction in any State, although he has to confirm sentences of over 7 years from most of them. This means in practice that the Political Agent for the Central Provinces States has far less case work than the Political Agent for the Orissa States. Except for the Agency Inspector of Schools there are no Agency officials, so this factor also has been of less importance than in Orissa. As regards the prevalence of minority administrations (*vide* the list in paragraph 52) and the employment of officers from British service the position is much the same as in the Orissa States. The factors making for uniformity with British district administration although very powerful, have nevertheless not been quite so strong as in the Orissa States, and I think have undoubtedly had a less effect, so that the resemblance of a Central Provinces States to a British district is not always so marked. The resemblance is strongest in the States that have been longest under management like Nandgaon, and least in States like Surguja, which have never been under management at all.

## CHAPTER IV.

## CHANGES DESIRABLE IN PRESENT SANADS.

57. *Relaxation of restrictions now desirable.*—In the previous Chapter the existing restrictions imposed on the States of Bihar and Orissa and the Central Provinces have been set forth in full, and the question now to be considered is how far these are necessary, having regard to the circumstances of the present day or to what extent they require modification. There is no doubt to my mind that the indefinite discretion exercisable by the Local Government over the judicial powers of the States in the case of the Orissa and Chota Nagpur groups of States, however necessary it may once have been, is now an anachronism, as also is the control exercised over the appointments of judicial officers in the latter group. States should have some independent powers in this respect, however narrowly they may be defined. The obligation laid on the States of the same two groups moreover to consult the Political Agent in all important matters of administration, many of which are specified, seems to me unjustifiably comprehensive in the case of any entity that has a claim to be regarded as a State, as in theory if not always in practice, any initiative on the part of the State is thereby almost precluded. States will never grow up to be in a position to manage their own affairs if permanently subjected to such close discretionary tutelage, and the whole tendency of the present day, which will be emphasised now that the possibility of an all-India federation is looming near, is to make each State so far as possible a self-contained responsible unit. The States have profited enormously by the long years of close supervision exercised by the Political authorities, and it is inevitable that some should feel that they had finished with their Public School education, as it were, and were ready to step into the freer atmosphere of a University. Those States, which, whether thanks to the possession of a better succession of Rulers than others, or to having been longer under management, or to being better situated as regards communications, have advanced more rapidly than others, particularly during the last 25 years, feel the restraints on their powers very galling, especially now that they have greater intercourse with their fellows from other parts of India,

58. *Present-day checks on misrule.*—Certain automatic checks to misrule now operate which did not exist when the Sanads were framed, *e.g.*,—

- (1) the greater literacy and political awareness of the people,
- (2) the existence of an active vernacular Press in places like Cuttack and Nagpur which takes a keen interest in the affairs of the States,
- (3) the growth of the feeling of solidarity in India and gradual disappearance of the old parochialism,
- (4) the loss of isolation due to the immensely improved communications,
- (5) the greater intercourse of the Rulers with the outside world.

and there is consequently no longer the same need for the control of the Political Agent as of old, when he was the sole brake on the arbitrary and often vicious tendencies of a Ruler, isolated from all criticism in his own jungle fastness. Having regard to these checks, and to the vastly improved administrations in most of the States, I have no doubt that the time has now come when the measure of control exercised over these States by Government should be considerably reduced.

59. *Nature of the modifications required.*—For these reasons I would suggest that Government ought to aim at imposing the fewest possible conditions in the revised Sanads consistent with the present degree of advancement of the State, and that these should be of as general a nature as possible, the particular application, if it is thought necessary to specify this, being explained in a covering letter sent with the Sanad, and not incorporated in the body of the Sanad as in the present clause VIII of the Orissa group Sanads. The fact that as a result of the discussions between the Chamber of Princes and the Government of India a body of accepted political practice is slowly coming into being, which will modify or supersede any contrary procedure laid down in Sanads, makes it all the more desirable that the text of the Sanads should be confined as far as possible to the enunciation of general principles.

60. *Alterations in Sanads as regards tributes.*—In paragraphs 34 and 35, the various conditions laid down in the existing Sanads have been summarised, and I propose below to discuss each in turn with a view to seeing whether its retention is desirable in its present or in a modified form.



1. *Payment of Tribute.*—Of the conditions common to all the Sanads, the first and one of the most important, is payment of a tribute either variable or fixed. Four States, *viz.*, Seraikela and Kharsawan in Bihar and Orissa, and Kanker and Makrai in the Central Provinces pay no tribute; seventeen States, all situated in Orissa, constituting the group formerly known as the Orissa Mahals pay a fixed tribute; and the remaining twenty States consisting of the Sambalpur, Nagpur and Chota Nagpur groups of States pay tribute liable to periodic revision. The tributes are all low, *vide* the tables below, except those of the 4 States Chhuikhadan, Khairagarh, Kawardha and Nandgaon.

*States with fixed tributes.*

State.	Revenue 5 years' average.	Tribute.	Tribute as percentage of revenue.
	Rs.	Rs.	
Athgarh .. .. .	1,63,196	2,800	1.7
Athmallik .. .. .	1,91,785	480	.25
Baramba .. .. .	1,04,442	1,398	1.3
Baud .. .. .	2,99,758	800	.26
Daspalla .. .. .	1,49,834	661	.44
Dhenkanal .. .. .	5,10,416	5,099	1
Hindol .. .. .	1,19,096	551	.46
Keonjhar .. .. .	9,23,605	1,710	.18
Khandpara .. .. .	1,55,893	4,212	2.7
Mayurbhanj .. .. .	28,00,906	1,068	.038
Narsinghpur .. .. .	1,16,530	1,456	1.2
Nayagarh .. .. .	3,83,762	5,525	1.4
Nilgiri .. .. .	1,95,727	3,900	2
Pal Lahara .. .. .	85,754	267*	.31
Ranpur .. .. .	73,988	1,401	1.2
Talcher .. .. .	2,74,009	1,040	.38
Tigiria .. .. .	34,267	882	2.6

\* Through Keonjhar.

*States with variable tributes.*

State.	Revenue 5 years' average.	Tribute.	Tribute as percentage of revenue.
	Rs.	Rs.	
Chota Nagpur group {			
Surguja .. .. .	5,76,517	3,500	.6
Korea .. .. .	2,94,416	750	.25
Gangpur .. .. .	6,41,118	10,000	1.5
Jashpur .. .. .	3,55,863	2,000†	.56
Changbhakhar .. .. .	24,653	150	.6
Udaipur .. .. .	2,16,419	1,200	.55
Bonai .. .. .	2,32,841	2,700	1.1
Sambalpur group {			
Sakti .. .. .	1,22,580	1,500	1.2
Sarangarh .. .. .	2,96,945	4,500	1.5
Raigarh .. .. .	6,29,663	5,500	.87
Bamra .. .. .	5,98,053	7,500	1.25
Patna .. .. .	8,58,329	13,000	1.5
Rairakhol .. .. .	87,390	2,000	2.3
Sonpur .. .. .	3,68,019	12,000	3.3
Nagpur group {			
Bastar .. .. .	8,56,655	18,000	2.1
Kalashandi .. .. .	6,46,322	16,000	2.5
Chhuikhadan .. .. .	1,16,445	12,000	10.3
Khairagarh .. .. .	5,93,761	80,000	13.4
Kawardha .. .. .	3,23,653	30,000	9.26
Nandgaon .. .. .	6,95,350	80,000	11.5

† Through Surguja.

The whole question whether tributes are to continue at all is now under investigation by the Indian States Enquiry Committee and it is unnecessary therefore to discuss them in great detail as they will presumably be revised by the Government



of India on the basis of that Committee's report. It will nevertheless be desirable to state here the changes I had intended proposing in regard to the tributes of these States quite independently of the Committee's investigation of the general question. These were :—

- (1) to make all tributes fixed, and
- (2) to reduce the amount of tribute paid by the 4 States of Chhuikhadan, Khairagarh, Kawardha and Nandgaon to about 5% of their present revenue,
- (3) to allow Pal Lahara and Jashpur to pay their tributes direct instead of through the States of Keonjhar and Surguja respectively, as at present.

As regards the first proposal, the loss of revenue to Government from fixing the tributes will be inconsiderable, as at each revision a growing tendency to reduce the percentage, if not the total amount, of the revenue paid in tribute has revealed itself. The less like revenue assessments moreover and the more personal the tributes are made the better, as apart from any pecuniary issues involved, the liability of the tributes to enhancement is felt by the Chiefs concerned to be a derogation from their dignity. As regards the second proposal four States pay higher tributes than the others as they were creations of the Mahratta Government at Nagpur, and unlike other States, were treated and assessed by them as if they had been zamindaris at about one-third of their gross revenue. Sir Richard Temple's classification (given effect to in 1866) of them as States after they came under British suzerainty on the lapse of the Nagpur Raj improved their status but did not result in any change being made in the method of calculating their tribute, which was based on that of the Mahrattas. These States therefore when they first came under British suzerainty paid tribute at a higher rate than other States, and despite subsequent revisions downwards in the rate at which it was levied, they still continue to pay a substantially higher proportionate amount than other States. It is probably true that in the light of our present knowledge these States should perhaps not have been classed as States, but as zamindaris. The mistake however, if it was one, is now about 70 years old and cannot be rectified. It is only fair therefore that the decision that they were States should be implemented in full by altogether abandoning the original zamindari basis for calculating their tributes, and reducing them to something nearer the normal level. If this were done, the tributes might be fixed permanently at :—

Rs. 30,000 for Nandgaon,  
 Rs. 25,000 for Khairagarh,  
 Rs. 15,000 for Kawardha,  
 Rs. 5,000 for Chhuikhadan,

*i.e.*, at approximately 5% of their present revenues.

As regards the third proposal, the relations of the States of Pal Lahara and Jashpur are now direct with the British Government; and not indirect through the other States. It would seem therefore a historical anachronism that the tributes should still continue to be paid indirectly, and the present revision of the Sanads would be a suitable opportunity for rectifying this.

61. *Impartial administration of justice.*—The second condition common to all the Sanads is to administer justice fairly and impartially to all and to suppress crime.

61-a. *Maintenance of people's rights.*—The third is to maintain the rights of the people and to prevent oppression.

These are both general hortations, and there is no objection to their retention in the new Sanad.

62. *Reference of serious criminal cases for confirmation or trial as the case may be.*—The fourth condition is to refer criminal cases of over a certain magnitude to the

Political Agent or Local Government for confirmation or trial. The exact degree of powers enjoyed by each State is specified in the statement below :—

Serial No.	Name of State.	Nature of powers or limitations.	Actual powers now exercised.
	BIHAR AND ORISSA. ( <i>Salute States.</i> )		
1	Kalahandi .. ..	Under the terms of his Sanad the Chief exercises full powers in all matters whether civil, criminal or revenue, subject to the proviso that capital sentences require the confirmation of the Local Government and that the Chief has to follow such advice and instructions as are given to him by the Local Government.	At present the Chief exercises full powers subject to the proviso that capital sentences require the confirmation of the Local Government and to the restrictions contained in clause VII of his Sanad.
2	Mayurbhanj .. ..	Under the terms of his Sanad the Chief has to conform in all matters concerning the preservation of law and order and the administration of justice generally with the instructions issued from time to time by the Local Government. He has also to consult the Political Agent on all important matters of administration and conform to his advice.	It has recently been decided to treat the specific restrictions on internal administration in the Mayurbhanj Sanad as having been cancelled, but the general clauses requiring good rule, etc., remain in force. The power of the Ruler to pass capital sentences on State subjects is subject to the right of the latter of petitioning the Supreme Government, and the general discretion of the Government to claim to try British subjects for offences committed in Indian States is not affected by this concession.
3	Patna .. ..	As for Kalahandi .. ..	As for Kalahandi. (The Chief is at present a minor.)
4	Sonpur .. .. ( <i>Non-salute States.</i> )	As for Kalahandi .. ..	As for Kalahandi.
5	Athgarh .. ..	Under the terms of his Sanad the Chief has to conform in all matters concerning the preservation of law and order and the administration of justice generally with the instructions issued from time to time by the Local Government. He has also to consult the Political Agent on all important matters of administration and conform to his advice.	The present Chief may pass sentences in cases within his jurisdiction not exceeding two years' imprisonment, Rs. 1,000 fine and 30 stripes. His powers are limited by clauses III and VIII of his Sanad. (The Chief is at present a minor.)
6	Athmallik .. ..	As for Athgarh .. ..	As for Athgarh.
7	Bamra .. ..	As for Kalahandi .. ..	As for Kalahandi. (The Chief is at present a minor.)
8	Baramba .. ..	} As for Athgarh .. ..	As for Athgarh. (The Chief of Baramba State is at present a minor.)
9	Baud .. ..		
10	Bonai .. ..	As for Athgarh .. ..	The present Chief may pass sentences within his jurisdiction not exceeding imprisonment for five years and Rs. 200 fine, subject to the

Serial No.	Name of State.	Nature of powers or limitations.				Actual powers now exercised.
	BIHAR AND ORISSA— <i>contd.</i> ( <i>Non-salute States</i> )— <i>contd.</i>					proviso that sentences exceeding two years' imprisonment or Rs. 50 fine shall be referred for confirmation by the Political Agent and Commissioner. These powers have been delegated by the Chief to his Diwan. His powers are limited by clauses III and VIII of his Sanad.
11	Daspalla .. ..	As for Athgarh .. ..				The present Chief is exercising the powers of a District Magistrate. His powers are limited by clauses III and VIII of his Sanad.
12	Dhenkanal .. ..	As for Athgarh .. ..				The present Chief is exercising the powers of a Sessions Judge. He has been allowed to delegate these powers to his Diwan. Capital sentences are subject to confirmation by the Political Agent and Commissioner. His powers are limited by clauses III and VIII of his Sanad.
13	Gangpur .. ..	As for Athgarh .. ..				The present Chief is a minor, and the Superintendent is exercising the powers of a Sessions Judge and District Magistrate and powers under section 30 of the Criminal Procedure Code, subject to confirmation of sentences of transportation for life by the Assistant Political Agent and of death sentences by the Political Agent and Commissioner.
14	Hindol .. ..	As for Athgarh .. ..				The present Chief is exercising the powers of a Sessions Judge and powers of a District Magistrate under section 30 of the Criminal Procedure Code, and has been allowed to delegate these powers to his Diwan. Capital sentences are subject to confirmation by the Political Agent and Commissioner. His powers are limited by clauses III and VIII of his Sanad.
15	Keonjhar .. ..	As for Athgarh .. ..				As for Dhenkanal.
16	Khandpara .. ..	As for Athgarh .. ..				As for Athgarh. (The Chief is at present a minor.)

Serial No.	Name of State.	Nature of powers or limitations.	Actual powers now exercised.
	BIHAR AND ORISSA— <i>concl'd.</i> ( <i>Non-salute States</i> )— <i>concl'd.</i>		
17	Kharsawan .. ..	As for Athgarh .. ..	The Chief is exercising the powers of a District Magistrate as defined in schedule III of the Criminal Procedure Code and also powers under section 30 of the Criminal Procedure Code. His powers are limited by clauses II and VII of his Sanad.
18	Narsinghpur .. ..	} As for Athgarh .. ..	As for Athgarh. [The Chiefs of Narsinghpur and Nayagarh are at present minors.]
19	Nayagarh .. ..		
20	Nilgiri .. ..		
21	Pal-Lahara .. ..	As for Athgarh .. ..	As for Daspalla.
22	Rairakhol .. ..	As for Kalahandi .. ..	As for Kalahandi.
23	Ranpur .. ..	As for Athgarh .. ..	As for Athgarh.
24	Seraikela .. ..	As for Athgarh .. ..	As for Kharsawan. (The Chief has been permitted to delegate these powers to his grandson and heir, Jubraj Aditya Pratap Singh Deo.)
25	Talcher .. ..	As for Athgarh .. ..	The present Chief is exercising the powers of a Sessions Judge, Capital sentences are subject to confirmation by the Political Agent and Commissioner. His powers are limited by clauses III and VIII of his Sanad.
26	Tigiria .. ..	As for Athgarh .. ..	As for Athgarh. (The Chief has been allowed to delegate his powers to the heir-apparent, Kumar Sudarsan Bai Singh.)
	CENTRAL PROVINCES.		
1	Bastar .. ..	The Chief is bound by his Fealty Bond to submit sentences of death for confirmation by the Local Government and of imprisonment exceeding seven years and all sentences of transportation for confirmation by the Political Agent.	
2	Changbhakar .. ..	The jurisdiction of the Chief is restricted to inflicting sentences of imprisonment up to seven years. Sentences of imprisonment exceeding this period and all sentences of transportation are to be referred for confirmation by the Political Agent and death sentences for confirmation by the Local Government.	
3.	Chhuikhadan .. ..	As for Bastar.	

Serial No.	Name of State.	Nature of powers or limitations.	Actual powers now exercised.
	CENTRAL PROVINCES —contd.		
4	Jashpur .. ..	As for Changbhakar.	
5	Kanker .. ..	As for Bastar.	
6	Kawardha .. ..	As for Bastar.	
7	Khairagarh .. ..	As for Bastar.	
8	Korea .. ..	As for Changbhakar.	
9	Makrai .. ..	The Chief is bound by his Fealty Bond to submit sentences of death for confirmation by the Local Government and of imprisonment exceeding seven years and all sentences of transportation for confirmation by the Political Agent.	
10	Nandgaon .. ..	As for Bastar.	
11	Raigarh .. ..	The Chief is bound by his Sanad to submit sentences of death only for confirmation by the Local Government.	
12	Sakti .. ..	As for Bastar.	
13	Sarangarh .. ..	As for Raigarh.	
14	Surguja .. ..	} As for Changbhakar.	
15	Udaipur .. ..		

(N.B.—All the above Chiefs exercise full civil and revenue powers in their territories, subject to the control of the Local Government.)

63. *Comparison with restrictions on the criminal powers of other States.*—Comparison with the criminal powers exercised by the States in other parts of India shows that the limitations on the judicial powers of the States both of Bihar and Orissa and the Central Provinces are distinctly greater than those on any other States in India which approach them in size and importance. The Government of India as paramount power over the whole of India and responsible for its foreign relations have always claimed jurisdiction over Europeans (whether British subjects or not), Americans, Indian British subjects and all servants of the King, although they may at their discretion permit a State to exercise jurisdiction in a particular case. Subject to this general limitation, which is asserted in virtue of paramountcy whether expressed, or unexpressed in the agreements with the States, there are no restrictions at all on the jurisdictional powers of most of the larger Indian States; while in the case of the smaller States the only restriction ordinarily in force is to require that the convicted accused is given the right to petition for mercy in the case of sentences of death as in Shahpura, or in the case of sentences of death, transportation or imprisonment for life, as in most of the Bundelkhand States, or at most to require confirmation of such sentences, as in Benares, Sirmur, and Kushalgarh, the reimposition of this obligation sometimes being left contingent on the Viceroy's discretion, as in several of the Punjab States; and it is only in the case of petty estates or jagirs that any restrictions resembling those in the Orissa and Central Provinces States are in force at all.

64. *Question what limitations are consistent with "practically full powers", and what not.*—Perhaps the main objection of these States in agitating for a removal or relaxation of the restrictions on their jurisdictional powers is to render themselves eligible for membership of the Chamber of Princes. So it is important to ascertain as precisely as possible what limitations are regarded as infringing the criterion of "practically full internal powers", which governs their entry, *vide* paragraph 85 post; and what not. It is apparent from a study of the files on the subject that the obligation to submit a petition for mercy to the Political

authorities in the case of serious sentences like death, transportation, or imprisonment for life is not considered to infringe this criterion, while the obligation to submit a sentence for confirmation is held to do so. It may be inferred also that the contingent discretionary power retained by the Viceroy in the case of some\* of the Punjab States to reimpose the obligation of referring death sentences for confirmation to the Agent to the Governor General does not amount to an infringement of the criterion, as otherwise the Ruler of a petty 9-gun State like Loharu which is subject to this limitation, and has very inadequate claims on the ground of size and importance would not have been admitted to the Chamber. The maximum degree of limitation on the jurisdictional powers of a State consistent with the enjoyment of "practically full internal powers" may therefore be held to be to require that every person sentenced to death, transportation or imprisonment for life, will have the right to submit a petition for mercy to the Political authority concerned, with the proviso that the obligation of referring death sentences for confirmation may be re-imposed at any time at the discretion of His Excellency the Viceroy. Any restriction beyond this and any general liability to accept advice, *ipso facto* renders a Ruler ineligible for membership of the Chamber. In deciding what jurisdictional powers each State is fitted to exercise, this very important dividing line has to be clearly borne in mind. I have dealt with this matter also on the assumption that in the interests of simplification it is desirable to have as few different categories of judicial powers, and therefore of Sanads, as possible, for it is mainly in this respect that any differentiation in the Sanads of the various States appears necessary.

65. *Criterion for determining what resources and administrative machinery would justify relaxation of restrictions.*—The exact wording of the instruction given to me in this connection by the Government of India is to ascertain "which of the States in Bihar and Orissa and in the Central Provinces have adequate resources and administrative machinery to justify a partial or a complete relaxation of the existing restrictions upon their judicial or administrative powers". This implies that the decision is to be based on the more stable factors such as financial resources, quality of officers, and general level of administration, and not on the more evanescent factors such as the personal qualities of the Ruler for the time being. It was also stated in the correspondence with the Government of Bihar and Orissa that it was not primarily from the point of view of rendering Rulers eligible for membership of the Chamber that the removal of restrictions upon their internal powers need be considered. This I take to mean that so far as possible the two questions of fitness for full powers and suitability for membership of the Chamber were to be considered independently.

Other things being equal, a more highly paid officer is likely to be a better official than a lower paid one. Hence the quality of the officers of a State is very largely dependent on the rates of pay which they draw, and so this factor also becomes a question of money. Hence undoubtedly the most important single factor in estimating the probable quality of a State's administration is the amount of its financial resources. Precision in such a matter is impossible, but as a result of experience of many States, I am definitely of opinion that, given an average Ruler, a State cannot be run efficiently on less than about 5 lakhs income, or possibly on less than about 3 lakhs; for the proportion of the State revenues ordinarily expended by the Ruler and his family increases the smaller the State is, and less is therefore available for public purposes. I do not mean that all the States with incomes less than this are necessarily badly governed, but that below this rough limit everything depends on the personal qualities of the Ruler to a degree transcending that in a large State, and that unless the State possesses an exceptional Ruler, it is almost certain the administration will be inferior, as the State cannot pay high enough salaries to command the services of really good officers. The comparative statement of the States at Appendix IV particularly columns 20 to 24 showing the rates of pay, will repay careful study in this connection, and also the briefer statement at Appendix VI. My enquiry in these States fully bears out the approximate fairness of this rough division. The States with over 5 lakhs† income on an average

\* These got their Sanads in 1922 and 1923 after the constitution of the Chamber of Princes.

† Sonpur is a border line case. Its apparent revenue is under 4 lakhs, but owing to the existence of trust funds and the fact that the Ruler gets a large part of his income from private trade, it perhaps ought to be placed in the above 5 lakhs category. On the other hand, although the Maharaja is one of the 4 Bihar & Orissa Rulers with a salute, his State did not seem to me to be one of the best administered.

are definitely on a higher plane as regards administration than those with over 3 lakhs, and these again than those under that margin. If this matter were being decided solely with reference to British Indian standards of judicial administration I should have been inclined to suggest confining the relaxation of restrictions to the upper category of States with incomes of 5 lakhs and over, but this would in my opinion be unfair to the Bihar and Orissa and Central Provinces States in comparison with the States in other parts of India, as I am satisfied that the States with between 3 lakhs and 5 lakhs of revenue in Bihar and Orissa and the Central Provinces possess generally quite as good judicial administrations as the States of similar size elsewhere, all of which (except for special reasons in one or two cases, *e.g.*, Jhabua) possess practically full powers of internal administration. A revenue criterion alone would be dangerous however, as States just below any dividing line that was drawn would be tempted to rack rent their cultivators, or use other irregular means to get above it. As will be seen from the statement at Appendix VI, those States, *viz.*, Baud, Sarangarh and Korea, with revenues about the 3 lakhs limit have populations of about one lakh. The criterion of 3 lakhs revenue may be held therefore so far as the States of Bihar and Orissa, and the Central Provinces are concerned to be roughly equivalent to one of 1 lakh population, and if the double criterion of 1 lakh of population and 3 lakhs of revenue is adopted, the danger just referred to would be avoided.

66. *Inadvisability of making criterion too rigid.*—The decision in the case of the marginal States is always one of some difficulty. None of the States above the 1 lakh population and 3 lakh revenue dividing line have definitely bad administrations, although some are more ineffective than others. The comparative statement at Appendix IV may be studied in this regard. Sarangarh, which is above the criterion in population and just under the revenue, and Korea, which is a little under the criterion in both respects, under their present Rulers, both of whom are very exceptional men, are perhaps the 2 best administered States in the Central Provinces, and for many reasons it would be desirable if they could be taken into the superior category of States. I would suggest therefore that too rigid an application of the criterion is not advisable, and that to a slight extent it should be discretionary.

67. *Suggested powers for major States.*—As regards the extent of powers, I would suggest that the group of States above the line of demarcation, *viz.*, Mayurbhanj, Patna, Bastar, Kalahandi, Surguja, Keonjhar, Gangpur, Dhenkanal, Raigarh, Sonpur, Jashpur Nandgaon, Khairagarh, Bamra, Nayagarh, Seraikela, Kanker, Baud, Sarangarh and Korea, which for convenience of reference I shall style the major States, be given the minimum full powers which will render their Rulers eligible for the Chamber of Princes, *i.e.*, full powers subject to the conditions that—

- (1) every person sentenced to death transportation or imprisonment for life, shall have the right to submit a petition for mercy to the Agent to the Governor General,
- (2) that the obligation of referring sentences of death for confirmation to the Agent to the Governor General may be re-imposed at any time, should such re-imposition be desirable in the opinion of His Excellency the Viceroy.

68. *Special position of Mayurbhanj and of the Sambalpur Garhjat States.*—As explained in paragraph 3, Mayurbhanj since March last year has been released from the specific restrictions on internal administration contained in its Sanad. If this is to be regarded as a final arrangement, then perhaps the second of these two conditions will have to be omitted in the case of the Mayurbhanj Sanad as it would amount in theory to a slight qualification of the powers that State has enjoyed during the past year. But if the arrangement is to be regarded as an *ad interim* one, pending the general enquiry, then there would appear to be no objection to giving Mayurbhanj a Sanad similar to the others. Both the Political Agent and myself consider that it would be unwise to omit the second condition altogether from the Sanad given generally, as one cannot guarantee there will not be a relapse in some of the States following on the greater freedom given to them. Under their present Sanads the States of the Sambalpur group, unlike the others, are under obligation to refer death sentences only for confirmation, and therefore, in the case of the States of Patna, Kalahandi, Sonpur and Bamra it might be thought it was unnecessary to make the

right to petition for mercy cover more than death sentences, or this would amount to imposing a new restriction. In the case of Kalahandi there would be no great objection to this limitation of the right to petition for mercy as it is a very well run State, and possibly in the case of Patna\* also, which ranks first amongst the Bihar and Orissa States and is now well administered, but in the case of Bamra\* and Sonpur, I do not consider this would be advisable. In any case these States, if my proposals are accepted will be released not merely from the obligation to get death sentences confirmed, but also from that of accepting advice when offered, and the extension of the right to petition for mercy to cover sentences of transportation and imprisonment for life, as well as of death, cannot therefore, be said to amount to the imposing of a new restriction not covered by the present sanad, although there may be no explicit provision regarding such sentences. It seems desirable to limit the different types of sanads to as small a number as possible, to avoid giving rise to inter-statal jealousies, and therefore I have not suggested treating Kalahandi and Patna as special cases, but if Mayurbhanj is to be made one, they might also be.

69. *Suggested powers for minor States.*—As regards the remaining States, viz., Udaipur, Bonai, Khandpara, Kawardha, Talcher, Nilgiri, Athmallik, Athgarh, Hindol, Sakti, Ranpur, Baramba, Daspalla, Kharsawan, Narsinghpur, Rairakhol, Chhuikhadan, Pal-Lahara, Tigiria, Changbhakar and Makrai, which for convenience of reference I shall style the minor States, what is desirable so far as possible is to make them dispose of their own case work. I would therefore suggest that they be given full powers of internal jurisdiction subject to the conditions that sentences of death, transportation and imprisonment for life will be submitted for confirmation to the Agent to the Governor-General, and that they will follow such advice as is given to them by that officer. In the case of the States with exiguous revenues,† and administrations to correspond, like Ranpur, Tigiria, Chang-Bhakar and Pal Lahara it would probably be advisable to substitute imprisonment for over 7 years for imprisonment for life, but serious cases are very rare in these small States, and the general liability to accept advice operates as a further safeguard.

70. *Special case of Rairakhol.*—In every case except that of Rairakhol this would be a considerable enhancement of the powers at present enjoyed. Rairakhol however, although one of the poorest and worst administered of all the States, possesses the same sanad as Bamra and the other States of the Sambalpur Garhjat group, whereby the Ruler is only bound to submit sentences of death for confirmation and to follow such advice and instructions as are given to him. If it be considered impracticable to demote this State, the sanad issued to it might differ from the others in this one respect only, that sentences of death are alone to be submitted for confirmation and not sentences of death, transportation and imprisonment for life.

71. *Personal exemptions.*—One or two of the smaller Rulers, like the Rajas of Sakti and Talcher are very markedly above their fellows in capacity, but so long as the relaxing of restrictions is not to be based on personal grounds and the whole efficiency of the administration centres entirely on the Rulers, the only practicable way of recognising their capacity would seem to be to grant them personal relaxations from the restrictions in the sanads. This would not however involve their becoming eligible for membership of the Chamber in their own right.

72. *Extradition from and to States—Condition 5.*—To render assistance in capturing and to deliver up criminal fugitives from British India.

*Condition 6.*—To make representations to the authorities regarding criminal fugitives from the States.

At present the Political Agent is entitled to demand the surrender of any alleged criminal from a State without letting them see the *prima facie* evidence on which he acts, whereas in the case of an alleged offender from a State who has taken refuge in British territory the State can only make representations to the Political Agent. There is not much reciprocity or even appearance of reciprocity about this. If, as I am proposing, the States are divided into two categories, the practically full powered and those with restricted powers, in the case of the latter the Political Agent

\* Patna and Bamra are at present under minority administration which makes the question more difficult to decide.

† All have revenues well under Rs. 100,000.



should retain the power to decide on the question of extradition, but he should also send on the *prima facie* evidence on which he acts to the State as a matter of courtesy. In the case of the former, if they are to be treated as practicably full powered, the decision whether extradition should be granted or not, should rest with the State as is the ordinary practice in full powered States, just as in the corresponding case of extradition from British India the decision would rest with the Political Agent.

73. *Prohibition of transit duties*—Condition 7.—To levy no transit dues. This condition must I think be retained. A glance at the map will reveal how these States lie across main lines of communication from one part of British India to another, e.g., across the Sambalpur-Cuttack road, the Ranchi-Cuttack road and the Raipur-Nagpur road. Some States are moreover entirely shut in by other States and could be penalised heavily by their neighbours. At my meeting with the President of the Orissa Committee, perhaps the main point of importance raised was the necessity of not allowing any transit duties to be levied on these through routes.

74. *Customs duties*—I believe this clause is regarded by some of the States as prohibiting them from levying Customs duties. This is not justified by the wording except in the case of the Chota Nagpur group of the States in the Central Provinces, as the relevant clause in the sanads of 1905 given to them prohibits the levy of duty on goods passing *into*, or out of the State as well as through. In the old days when the blessings of free trade were more highly regarded than they perhaps are now, it was one of the main objects of British policy *vis-a-vis* the States to induce them to agree not to levy customs duties, and endeavours were every where made to achieve this. But subsequently this policy was more or less given up, and States like Alwar that had previously agreed to give up the levy of customs duties were permitted to rescind their undertaking. The people injured by a Customs duty are the people of the State concerned and it does not seem to me to be a British Indian interest to object to such a duty so long as goods in transit are not affected. In view of the greatly increasing importance of customs duties in the economy of British India, it is moreover difficult to see how the British Government can logically adhere to its former attitude in this regard. Their inability to levy customs duty is greatly disliked by the Chiefs, and I would therefore suggest that the wording of the clause in the Chota Nagpur group also would be confined to the prohibition of transit duties.

75. *General advice Clause*.—Condition 8.—To obey such instructions and advice as may be given.

In the case of the Orissa and Chota Nagpur groups, the relevant clause, No. VIII in the sanad is much more limiting in its character than the corresponding one in the other two groups, as not merely have the States to carry out such orders and advice as may be given but they have to consult the Political Officer in all important matters and comply with his wishes, many important matters being specified.

There seems to me no real necessity even in the case of the smallest States of retaining the advice clause in the more restrictive form. It is sufficient for practical purposes if it is open to the Political Officer to give authoritative advice, when he thinks necessary. Where an advice clause is retained in the sanads, therefore, I should put it in the less restrictive form. The sanad moreover does not seem to me a suitable place in which to specify what matters advice may be given on. If necessary at all, which I incline to doubt, as specification involves limitation, this may be done in the covering letter sent with the new sanad when it is issued. In my opinion therefore the advice clause where retained should be of the form of clause VII of the Bamra sanad.

A general advice clause of this nature is not reconcilable with the enjoyment of full or practically full powers. Hence no clause of this nature can find place in the sanads of those States which it is desired to promote to full powers and membership of the Chamber of Princes. Any point therefore hitherto covered by the advice clause and by no other, which is still considered to be necessary in the case of these States will have to be met by a fresh clause in the sanads.

76. *Treatment of conditions peculiar to one set of sanads*.—As regards the conditions peculiar to one or more sets of documents, I deal with them seriatim.

Condition 1.—That no succession will be valid until it has been recognised by the Governor General in Council or the Lieutenant Governor on his behalf.

This is a general incident of paramountcy common to all States, and accordingly it does not seem to require specific mention in the sanad.

*Condition 2.*—Laying down the procedure in Boundry disputes. This clause is unnecessary in States where advice is given, as it would be covered by the advice clause. In any case even if there were no advice clause it would presumably be covered by the ordinary political practice in this connection.

*Condition 3.*—Regarding the permanent maintenance of a Vakil at the Political Agent's headquarters. As stated before this clause is now a dead letter and may be deleted.

*Condition 4.*—Regarding the liability of the States of the Sambalpur group to pay penal tribute if their Abkari arrangements are unsatisfactory and interfere with the arrangements in the adjoining British territory. A penal clause of this petty nature seems out of place in a document defining the general relations of the States with the British Government. In the States where the general advice clause is retained, it will be sufficiently covered by that clause. In others a modified clause regarding conducting their abkari arrangements so as not to interfere with those of British India or other States will have to be substituted. This also is one of the points to which importance was attached by Sir Sam O'Donnell, the Chairman of the Orissa Committee.

*Condition 5.*—Regarding conformity with any forest regulations prescribed by the Chief Commissioner will be covered by the advice clause where this occurs. In those States however that are given practically full powers and freed from the advice clause, there would not seem to be any warrant for requiring compliance with this condition. It may therefore be dropped.

*Condition 6.*—Regarding the catching of elephants. There is now no occasion for Government to interfere in this matter, as elephants have altogether lost their former importance. In the Chota Nagpur States elephants no longer occur, so the grant of the right to catch them to the Chiefs as a personal concession is an empty one. In the Orissa States where there are still a good many elephants, the Political Agent nowadays never refuses an application made to him. Hence the

***Condition 7.*—Regarding the control exercised over judicial appointments in the Chota Nagpur States.**

**It would seem no longer necessary to retain this specific restriction in the sanads of these States, alone amongst States of their size in India.**

number of quite primitive aboriginal peoples scattered throughout their area, a feature which has no parallel anywhere else in India. These aboriginals are very liable to sudden waves of excitement due sometimes to quasi-religious movements and sometimes to real or fancied economic grievances, which have led on numerous occasions to armed risings necessitating the intervention of the British authorities and sometimes the use of military force to subdue them. It is doubtful whether this feature of these States is adequately appreciated by anyone who has not closely examined their history and I therefore give below a note on the armed risings which have occurred during the last 50 years in the case of the Bihar and Orissa States and in the last 15 \* in the case of the Central Provinces States.

#### *Bihar and Orissa States.*

(1) 1879—*Bonai State.*—Rising of hill tribes as a result of the Raja's oppression which lasted over 2 years and was only suppressed with the help of British Indian Police.

(2) 1882—*Kalahandi State.*—Rising of Khonds over assessments and dispossession by Hindu cultivators which was suppressed with the help of British Indian Police.

(3) 1891—*Keonjhar State.*—Rising of the Bhuiyas and Juangs as a result of the exactions of the Chief and States Officers, which was only suppressed with the help of troops and by the appointment of a European to manage the State.

(4) 1893—*Nayagarh State.*—Rising of Khonds as a result of oppression by the Chief which was suppressed with the help of British Indian Military Police.

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\* I could not obtain exact information for a longer period.

(5) 1894—*Ranpur State*.—Rising of the Khonds owing to alleged oppression by the Chief and interference with their forest rights, which was suppressed with the help of British Indian police.

(6) 1897—*Gangpur State*.—Revolt by a section of the people against their Ruler, which was suppressed with the help of British Indian Police.

(7) 1914—*Daspalla State*.—Revolt of the Khonds owing to intrigues connected with the succession to a childless Ruler, which was only suppressed with the help of troops and armed police from British India.

(8) 1917—*Mayurbhanj State*.—Rising of the aboriginal population as result of panic over recruitment of coolies for Labour Corps in France, and also over various economic grievances, which was only suppressed with help of Gurkha Military Police and armed police from British India.

(9) 1925—*Seraikela State*.—Rising of Mundas as result of alleged excessive exactions by the Ruler, which was suppressed with help of armed police from British India.

(10) 1931—*Kharsawan State*.—Rising of Santals, Kols and Bhumij in Kharsawan as a result of a religious movement, which was suppressed with the help of armed police from British India.

#### *Central Provinces States.*

(1) 1910—*Bastar State*.—Rebellion of aboriginals which required a large force of police and also troops from British India to suppress it.

(2) 1918—*Surguja State*.—Rising of aboriginals which was suppressed with help of armed police from British India.

(3) 1922—*Jashpur State*.—There was an outbreak of the aboriginals connected with the non-co-operative movement which necessitated the despatch of British Indian Military police to quell it.

Even although this statement is incomplete, it will serve to show clearly enough how much more prone to armed revolt, the uncivilised inhabitants of these States, particularly the Orissa States, are than those of British India, and the necessity of whoever is in political control of these States being given power to call on an armed police force for help on occasions of necessity. Most of the risings appear to have taken place as a result of real or fancied grievances connected with revenue assessment, or interference with alleged established rights.

78. *Special provisions for aboriginals*.—In States where the right of giving advice whenever the Political Agent thinks fit, is retained, there is no need of any special provision in the sanads as regards the aboriginal population. In the case however of the States that are emancipated from this advice clause the question is whether some specific restriction should not be imposed, requiring the Ruler to consult the Political Agent before introducing any change in regard to the assessment, or grazing and forest rights of the aboriginal tribes. This would be inconsistent with the enjoyment of full powers and might therefore help to debar those States in which the restriction was imposed from membership of the Chamber of Princes. The State moreover, which has the largest population of aboriginals of all, Mayurbhanj, has already been freed from all specific limitations by the action taken by the Government of India last year. In my view the interests of the aboriginal tribes will perhaps be best served by making the Chiefs realise that they have a particular responsibility to discharge as regards their aboriginal population by the addition to the clause regarding maintenance of the rights of their people of a sub-clause making the aboriginal population their special care, so that this clause would stand "You shall recognise and maintain the rights of all your people and you shall on no account oppress them or suffer them to be oppressed. In particular you will charge yourself personally with the welfare of aboriginal population of your State." Probably even Mayurbhanj in the present position of freedom would not object to a general hortatory clause of this nature, and its existence would make it more easy for the Political Agent to give informal advice to the Chief, when there was need for it and to bring home the Ruler's personal responsibility to him. I found that in

almost every State of Bihar and Orissa, including all the States where the aborigines were an important factor in the population, their interests were protected by :—

- (1) the prohibition of the transfer of any land without the permission of the Chief, such permission only being given in the case of aborigines when the transfer was from one aborigine to another,
- (2) the grant of land to aborigines on very low rates of rent, generally based on the number of ploughs, and in some States there was also the further safeguard,
- (3) the prohibition of pleaders in cases in which an aborigine was accused unless the latter himself employed one.

The prohibition of the transfer of land without the States' permission is almost universal in these States whether in the case of aborigines or other inhabitants, and so long as this is the case, and the Ruler takes care to see that the land of aborigines is not alienated to non-aborigines there would seem to be an efficient safeguard against their dispossession. It is indubitably true that the protection thus given to the aborigines exists as a result of British influence, but I nowhere found any objection to it on the part of the Rulers, rather, on the contrary every sign of general acceptance, and probably Rulers would be amenable to sound advice in this regard, as none of them want to provoke a rising, the possibility of which they are well aware of from past experience.

79. *Special provisions for aborigines not very necessary in Central Provinces States.*—In the States of the Central Provinces members of the aboriginal tribes, except in Baster where a special simplified form of settlement for aborigines exists, and in Udaipur where the practice in the case of transfer of land is the same as in the case of the Bihar and Orissa States, are generally treated just like any other inhabitants and are accorded no special administrative or legal protection. They do not however differ so markedly from the surrounding Hindu cultivating classes as the aborigines of the Bihar and Orissa States do, and merge into them very easily. They are not exposed in the same degree to contact with more advanced people, as for instance in Mayurbhanj which is contiguous to Bengal\* and almost abuts on the great industrial centre of Jamshedpur. There has been moreover less industrial development in the Central Provinces States and less reason therefore for the displacement of the indigenous aboriginal population by more advanced peoples. For these varying reasons in the States of the Central Provinces less necessity has been felt for giving the aboriginal population any special protection than in the Bihar and Orissa States.

80. *Discontinuance of term "Feudatory" when referring to the Orissa States.*—The sanads of the Orissa<sup>States</sup> refer to them as the Orissa Feudatory States. In the case of the States of the Central Provinces the use of the term "Feudatory" has been discontinued since 1928, and it survives nowhere else in India except Orissa. The feudal theory is no longer considered correctly to represent the relations of the Indian States with the paramount power, and the word "Feudatory" is therefore admittedly an anachronism as applied to the Orissa States, and may be discontinued.

81. *Maintenance of through communications.*—The maintenance of through communications in the case of roads passing through more than one State is a question of great and increasing importance for the welfare of these States, and of the British Indian districts intermixed with them, but I have not found it possible to frame any specific clause for the sanads that would be at once useful and equitable. If it was laid down that a State should maintain all through communications in due repair, such a clause would be of little use without definition of the word "due", as sometimes a through road may not be of much use to a State if it passes through an outlying part, and the standards of a State may vary in accordance with its financial resources. No solution therefore seems feasible other than the conclusion of a convention between all the States and British districts interested whereby their respective liabilities are clearly defined. At the present time British provincial revenues bear the whole cost of maintenance of that part of the Angul-Phulbani road which lies in Baud, and of the Ranchi-Chakaradharpur road which lies in Seraikela. Those portions of the Sambalpur-Cuttack road which lie in Athgarh, Dhenkanal and Athmallik are also maintained out of provincial funds although these States pay a certain amount as a cash contribution. In some of the

other States, *e.g.*, Rairakhol, Keonjhar, Gangpur, Daspalla, Baud and Nayagarh grants have occasionally been made from provincial revenues towards roads of provincial importance maintained by them. I have not come across any similar case in the Central Provinces, presumably because the States do not interrupt provincial communications to the same extent as in Bihar and Orissa.

82. The following draft form is therefore suggested as a rough model for the Sanads of these States in the circumstances of the present day.

“Whereas it appears to the British Government that the time has come when the existing restrictions on the judicial and administrative powers of the State of \_\_\_\_\_ <sup>Orissa</sup> <sub>in Chota Nagpur</sub> <sub>the Central Provinces</sub> may be modified, the Governor General in Council is pleased to recognise you as a Ruling Chief and to permit you to govern your own territory in all matters, whether civil, criminal or revenue, subject to the following conditions :—

1. That you shall pay regularly a fixed tribute of rupees——per annum.
2. That\* persons sentenced to death, transportation, or imprisonment for life will be given every facility to submit a petition for mercy to the Agent to the Governor-General, and with the proviso that the obligation of referring sentences of death for confirmation to the Agent to the Governor-General may be re-imposed at any time should such re-imposition be desirable in the opinion of His Excellency the Viceroy and Governor General

or

That† sentences of death, transportation and <sup>imprisonment for life</sup> <sub>imprisonment for over 7 years</sub> require the confirmation of the Agent to the Governor-General (or Political Agent as is arranged‡).

3. That§ you shall deliver up any offender from British or other territory who may take refuge in your State on the production of satisfactory *prima facie* evidence transmitted by the Political Agent; that you shall aid British Officers in apprehending criminals who may take refuge in your territory; and that in the event of offenders from your own State whom you desire to extradite taking refuge in British or other territory you shall send a representation in the matter supported by adequate *prima facie* evidence to the Political Agent

or

That‡ you shall deliver up any offender from British or other territory who may take refuge in your State on the requisition of the Political Agent; that you shall aid British Officers who may pursue criminals into your territory; and that in the event of offenders from your own State whom you desire to extradite taking refuge in British or other territory, you shall make a representation in the matter supported by adequate *prima facie* evidence to the Political Agent.

4. That you shall do your utmost to suppress crime of all kinds in your State.
5. That you shall administer justice fairly and impartially to all alike.
6. That you shall recognise and maintain the rights of all your people, and on no account oppress them or suffer them to be in any way oppressed; and that in particular you shall charge yourself personally with the welfare of the aboriginal population of your State.

\* For the Major States.

† For the Minor States.

‡ Sentences of death might require the confirmation of the Agent to the Governor-General, the others of the Political Agent. The obligation to have sentences of imprisonment for over 7 years confirmed might be confined to a few of the smallest and most backward States, *vide* para. 69.

7. That you shall levy no transit duties on grain, merchandise, or any article of commerce passing through your State.
8. That you shall manage your abkari administration so as not to interfere with the revenue of neighbouring States or of adjacent British territory.
9. That\* you shall accept and follow such advice and instructions as may be communicated to you by the Political Agent.

83. *Question of States having a joint High Court.*—One side issue to the question discussed in the present chapter about the changes desirable in the Sanads of the States, which may be briefly referred to here, is that of the possibility of establishing a joint High Court for the States of Bihar and Orissa and the Central Provinces, which would exercise appellate jurisdiction over the State Courts and also original jurisdiction in heinous criminal cases, as this might very materially affect the nature of the restrictions on judicial powers suggested for the new Sanads. In every State I visited, where the Ruler was capable of giving an intelligent answer, I enquired his views regarding such a scheme, explaining that the proposal had emanated spontaneously from the Dewan of one of the States in Bundelkhand, that it would remove some of the main difficulties in the path of the smaller States towards admission to federation, and that it might avert the necessity of any interference at all in judicial matters on the part of the Political Officers, as the group, if not the individual State, could thus become completely self-contained. The reaction to the suggestion however was uniformly unfavourable. Most of the Rulers seemed unable to appreciate the necessity for approximate uniformity in the judicial standards of the courts of the potential federal units, and were disposed to argue that even considerable differences in this regard were not necessarily bars to their eligibility to join in a federation. Every Ruler was prepared to admit that the idea of having a joint High Court was a good one for other people, but none liked the idea for himself. Although I explained that in all the larger Indian States High Courts already existed which disposed of appeals, etc., independently of the Rulers, and that the only difference in the case we were discussing was that instead of each State having its own High Court, it would have a share in one, none of the Rulers liked the idea for his own State, and several said they would much prefer the Political Agent to exercise residuary jurisdiction as at present, rather than have an outside Indian Court doing so, which would not be amenable to themselves individually. These Orissa and Central Provinces States have enjoyed such restricted judicial powers in the past, that the idea of giving up their powers to an external body, even although its authority was derived by delegation from them, at the very moment when the extension of their powers is under consideration does not appeal at all. One or two of the Rulers argued that in States like theirs where a large proportion of the population was aboriginal, the only authority to which any regard was paid was that endowed with the power to punish, and that if the Ruler delegated this power to an external court, he would lose perhaps the most important nexus between himself and his subjects.

84. *No chance of joint High Court being formed spontaneously by States.*—My view therefore is that at the present stage it is useless to attempt to induce the States to combine together spontaneously for this purpose by means of reasoned arguments, and they will only do so if it becomes quite clear to them that they will not be admitted to the federation unless they agree to combine together in this way, and that they will suffer from their non-admission. I have accordingly framed the restrictions on judicial powers proposed for the revised Sanads without any reference to the possibility of a joint High Court. Should however it eventually be decided that small States which do not enjoy practically full judicial powers will not be permitted to join the federation unless they combine in groups to constitute High Courts of their own, then I would suggest that the whole body of the minor States of both Bihar and Orissa and the Central Provinces, which have a united population of over one million people, would constitute a suitable unit over which to have a High Court, provided that the High Court consists of one Judicial Commissioner, and not a bench of 3 judges as apparently was contemplated for Bundelkhand. For without the adhesion of some of the full-powered States, which presumably would have to be voluntary, the smaller States could not afford the larger body.

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\* For the Minor States only.



## CHAPTER V.

85. *Present composition of Chamber of Princes.*—A second main issue in the present enquiry is whether any alteration in the existing representation of the Bihar and Orissa and Central Provinces States on the Chamber of Princes is necessary or desirable.

The Chamber as now constituted consists of 109 Members and 12 Representative Members.

Members in their own right are :—

- (1) Rulers of States who enjoyed permanent dynastic salutes of 11 guns or over, on the 1st January 1920 ; and
- (2) Rulers of States who enjoyed such full or practically full internal powers as in the opinion of the Viceroy qualify them for admission to the Chamber.

Representative Members are Rulers of States not qualified under the above criteria, who are elected by the vote of their fellows as representatives of the various groups into which the States have been divided. Of the Representative Members the Bihar and Orissa States have 3, of whom one is allotted to the Sambalpur Garhjat groups of States and two to the Orissa groups of States, while the Central Provinces States have 2. A Representative Member although he may vote, is not eligible to become Chancellor or Pro-Chancellor of the Chamber, or a Member of the Standing Committee. I give below a list of States whose Rulers are Members of the Chamber—

*21-gun States.*—Baroda, Gwalior, Hyderabad, Jammu and Kashmir and Mysore.

*19-gun States.*—Bhopal, Indore, Kolhapur, Travancore and Udaipur.

*17-gun States.*—Bahawalpur, Bharatpur, Bikaner, Bundi, Cochin, Cutch, Jaipur, Jodhpur, Karauli, Kotah, Patiala, Rewa and Tonk.

*15-gun States.*—Alwar, Banswara, Datia, Dewas (Senior) Dewas (Junior), Dhar, Dholpur, Dungarpur, Idar, Jaisalmer, Khairpur, Kishengarh, Orchha, Partabgarh, Rampur, Sikkim and Sirohi.

*13-gun States.*—Benares, Bhavnagar, Cooch Behar, Dhrangadhra Tripura, Jaora, Jhalawar, Jind, Junagarh, Kapurthala, Nabha, Navanagar, Palanpur, Porbandar, Rajpipla and Ratlam.

*11-gun States.*—Ajaigarh, Alirajpur, Baoni, Barwani, Bijawar, Bilaspur, Cambay, Chamba, Charkhari, Chhatarpur, Faridkot, Gondal, Janjira, Jhabua, Maler Kotla, Mandi, Manipur, Morvi, Narsingarh, Panna, Puddukottai, Radhanpur Rajgarh, Sailana, Samthar, Sirmur, Sitamau, Suket, and Tehri.

*9-gun States.*—Balasinor, Banganapalla, Bansda, Bariya, Chhota Udepur, Danta, Dharampur, Dhrol, Jawhar, Khilchipur, Limbdi, Loharu, Lunawara, Maihar, Mudhol, Palatana, Rajkot, Sachin, Sangli, Savantwari, Sant, Wankaner, Wadhwan, and (since last year) Mayurbhanj.

It will be noticed that no Rulers of non-salute States are Members of the Chamber, although the second criterion does not necessarily debar them. None of the Bihar and Orissa or Central Provinces States had got salutes of 11 guns or over on the 1st January 1920, and so that door into the Chamber is completely closed to them none of them moreover, until the recent change *ad hoc* made in the case of Mayurbhanj, was considered to be enjoying sufficiently full powers to qualify for admission to Chamber under the second criterion, and so these States have to be content with 5 Representative Members shared amongst them.

86. *Change in composition of Chamber necessary.*—When the Chamber of Princes was first constituted, it could only discuss the agenda framed for it by the Viceroy, and indeed the fact of the Viceroy's control over the agenda was a main argument used to counter the objections raised by the Government of Bombay in 1920 to the creation of the Chamber of Princes on the ground of its dangerous potentialities. In 1928 however it was given the power to frame its own agenda through its Standing Committee, subject only to disallowance of

objectionable items by the Viceroy, and it has thus by this one change greatly increased the importance of its functions, and the question of its composition becomes in consequence one of much greater public importance than it used to be. Still more will this be the case, if the scheme succeeds, which is supported by a number of the Princes, of making the Chamber an integral part of the new federal constitution by using it as the electoral college on behalf of the confederated body of States for the Upper Federal Chamber.

87. *Criticism of present criteria for membership and suggested alternative in relative importance of States.*—"Salutes" in themselves were only tolerable as a criterion because they had a rough correspondence to the importance of the States and no better was immediately available ; but undeniably there are many anomalies amongst the salutes (e.g. the Rajputana Rulers as a class enjoy much higher salutes than their relative importance would warrant) as they were some times fixed in the past arbitrarily and without much regard for principle. The same is true as regards "Full Powers", which are even more fortuitous than salutes, as they were often the result purely of historical events, and bore little or no relationship to the quality of internal administration of the States. Those States which came first into contact with the British Government when it was struggling for supremacy and helped it in time of need generally enjoy a greater degree of independence than those who came into contact with it later when it had established its position as the paramount power in India. The two criteria of "Salutes" and "Full Powers" are moreover mutually inconsistent, as some of the larger States are not in possession of full powers ; and it is very anomalous to make full powers an essential for small States when it is not so for large. In my view therefore "Full Powers" as a criterion for admission to the Chamber is not satisfactory and might well be abandoned. Even the Princes themselves regard it with considerable suspicion and apprehension, as is evidenced by the fact that they tried very hard in 1920 when the constitution of the Chamber was being drafted, to secure to the existing Members control of new admissions to the Chamber, in order to obviate any chance of being swamped by new-comers, an eventuality which is always possible theoretically, so long as the enjoyment of full or practically full powers is the criterion, and the Viceroy is free to modify the powers of a State at his discretion. Although this claim was not admitted, and final discretion still rests with the Viceroy, a convention has more or less been established of consulting the Standing Committee of the Chamber in this matter. It seems quite certain that, as pointed out by the Statutory Commission, the Chamber as at present constituted can never become an organic part of a federal constitution. If therefore the Chamber is to survive at all in the changed conditions of the future, it would seem to be desirable to alter fundamentally its theoretical basis by abandoning that of "Salutes" and "Full Powers", and substituting that of the "Importance" of States, fixing a minimum standard. This in fact, if not in theory, has already been one of the main tests present in the minds of those interested in the matter. For I find in the Minutes of the Proceedings of the Standing Committee of the Chamber which met at Simla on the 5th September 1923 the following Extract regarding the question of admitting the Southern Mahratta Country States to the Chamber of Princes :—

"These small States and Jagirs in respect of political importance, area, revenue, powers, jurisdiction, etc., are not entitled to enter the Chamber in their own right."

I notice also that in a file of 1920 dealing with the question of the eligibility of the various States for seats in the Chamber, the fact that Loharu was a small and petty State was taken into consideration, and was a formidable obstacle in the way of its admission. It may be objected that the "Importance" of a State is difficult to gauge exactly, which is true ; but nevertheless it would not be necessary to fix this absolutely, only relatively ; and I think it is possible to classify the States more equitably on this basis than on that of either "Salutes" or "Full Powers". Obviously no single exact criterion is sufficient to measure the importance of a State, but a combination of them can be made to give results near enough for practical purposes.



88. *Possible means of gauging this alternative criterion by comparison of various relevant factors.*—"Population" is perhaps the most correct single factor in assessing the comparative importance of a State, although it is open to at least one criticism. One State may have the same population as another State, but in the one case it may consist mainly of barbarous aboriginals and in the other of civilised people. For this reason it is perhaps not altogether fair to give quite the same weight to population in the case of States like Mayurbhanj or Surguja which are full of aboriginals as in the case of States like Bhavnagar or Cochin, where the people are relatively advanced. This defect in the population criterion can however be largely compensated for it that of "annual income" or "net revenue" is used to check it. For a civilised population earns much more per head than a barbarous one. On the other hand to take income alone as the criterion would have equally evil results. For if a dividing line of any definite number of lakhs were fixed between States to be admitted to the Chamber and those not, the States just under the line would be tempted to rack rent their cultivators, or increase their revenues by other illegitimate means in order to rise above it. It is moreover extraordinarily difficult to make sure that the figures for income or net revenue of a State are accurate or are even calculated on the same basis as those of other States. In a State like Surguja a large part of the Ruler's income comes from Jagirs, and in a State like Sonpur from trade, and in neither case is this shown in the State income; while in others the Ruler has no income other than the share he takes of the State budget. Again in some States jagirs of land are given to nobles, the revenue from which does not appear in State returns, whereas in others, jagirs are merely assignments of State revenue. A third factor entitled to some weight, but not of the same value as the two preceding is "area". The possession of a large area, even although the population is scanty may, if in a relatively fertile and well watered region like Orissa and parts of the Central Provinces, roughly represent potential wealth and importance, although in a barren region like the Western Punjab and Rajputana this inference would not hold good to the same degree. But even in desert areas irrigation schemes may turn waste across into productive land. In my opinion therefore the relative importance of States can broadly be assessed by a combination of the population, revenue and area factors, of which population is the most significant\* and area the least. Such a measure would moreover accord with the principle laid down by the Secretary of State when the Chamber of Princes was originally constituted, *viz.*, that the deciding factor should be the status of the particular State and not the personal qualifications of the Ruler for the time being.

89. *Less ponderable factors in measuring relative importance.*—There are certain other factors such as past status, good family, etc., which have some bearing on the question of the relative importance of States, *e.g.*, Patna is the present day representative of a once powerful kingdom and its Ruler is a Rajput of good family, while Nandgaon is only an erst while Zamindari, which has become a State probably as a result of misconception, and its Ruler is a Bairagi. But although such imponderables might be useful in helping to a decision in borderline cases, they should not in my opinion be used to reverse a grading clearly established by the criteria mentioned above.

90. *Comparison of the Bihar and Orissa and Central Provinces States with those in other parts of India.*—The statement at Appendix VI gives the figures for population, area and revenue of all the States of Bihar and Orissa and the Central Provinces, and also shows the relative position of the States in respect of each of these, as well as accordingly to the formula in the footnote. To estimate the comparative importance of the States in the table with those in other parts of India, and particularly with those whose Rulers are members of the Chamber of Princes

\* The differing significance of the three factors could be allowed for, if it was desired to grade the States more exactly, by giving the population factor a weightage of 3, and the revenue factor a weightage of 2, as compared with the area factor, *i.e.*, an equitable rule of thumb measure for determining the relative importance of States would be  $\frac{3a+2b+c}{6}$

where a = population

b = net revenue

c = areas

the equivalence of a, b and c in terms of each other being obtained by equating the totals for population, revenue, and area of all the States.

I quote below the corresponding figures for the 9 and 11-gun States which are now members.

	Area in square miles.	Population in 1931 to nearest thousand.	Average re- venue in 1930 edition "Memo- randa for Indian States".
<i>Nine-gun States.</i>			
Balasinor .. .. .	189	53,000	Rs. 2,50,000
Banganapalle .. .. .	255	39,000	3,41,000
Bansda .. .. .	215	49,000	8,06,000
Bariya .. .. .	813	159,000	12,00,000
Chhota Udepur .. .. .	890	145,000	14,70,000
Danta .. .. .	347	23,000*	1,76,000
Dharampur .. .. .	704	112,000	12,51,000
Dhrol .. .. .	283	28,000	2,78,000
Jawhar .. .. .	310	57,000	5,43,000
Khilchipur .. .. .	273	46,000	2,92,000
Limbdi .. .. .	344	40,000	7,00,000
Loharu .. .. .	222	23,000	1,30,000
Lunawara .. .. .	388	95,000	5,80,000
Maihar .. .. .	407	69,000	3,50,000
Mudhol .. .. .	368	63,000	5,11,000
Palitana .. .. .	289	62,000	10,67,000
Rajkot .. .. .	282	76,000	10,00,000
Sachin .. .. .	49	22,000	4,08,000
Sangli .. .. .	1,136	25,900	13,69,000
Savantwari .. .. .	925	23,100	7,02,000
Sant .. .. .	394	84,000	5,80,000
Wankaner .. .. .	417	44,000	7,43,000
Wadhwan .. .. .	243	43,000	6,77,000
<i>Eleven-gun States.</i>			
Ajaigarh .. .. .	802	86,000	5,40,000
Alirajpur .. .. .	836	102,000	6,40,000
Baoni .. .. .	121	19,000	1,43,000
Barwani .. .. .	1,178	141,000	10,89,000
Bijawar .. .. .	973	116,000	3,50,000
Bilaspur (Kahlur) .. .. .	448	101,000	3,60,000
Cambay .. .. .	350	88,000	9,95,000
Chamba .. .. .	3,216	147,000	8,38,000
Charkhari .. .. .	880	120,000	6,69,000

\*1921 figures also 1931 figures are not available.

						Area in square miles.	Population in 1931 to nearest thousand.	Average re- venue in 1930 edition "Memo- randa for Indian States".
<i>Eleven-gun States—contd.</i>								
Chhatarpur..	..	..	..	..	..	1,130	161,000	Rs. 7,46,000
Faridkot ..	..	..	..	..	..	643	164,000	18,97,000
Gondal ..	..	..	..	..	..	1,024	206,000	50,00,000
Janjira ..	..	..	..	..	..	377	98,000	8,34,000
Jhabua ..	..	..	..	..	..	1,336	146,000	4,40,000
Malerkotla ..	..	..	..	..	..	168	83,000	14,69,000
Mandi ..	..	..	..	..	..	1,200	207,000	15,39,000
Manipur ..	..	..	..	..	..	8,456	446,000	7,46,000
Morvi ..	..	..	..	..	..	822	113,000	40,00,000
Narsingarh ..	..	..	..	..	..	734	114,000	9,90,000
Panna ..	..	..	..	..	..	2,596	212,000	10,19,000
Puddukottai ..	..	..	..	..	..	1,179	401,000	22,84,000
Radhanpur ..	..	..	..	..	..	1,150	70,521	7,72,000
Rajgarh ..	..	..	..	..	..	962	135,000	11,50,000
Sailana ..	..	..	..	..	..	297	35,000	3,55,000
Samthar ..	..	..	..	..	..	180	33,000	3,50,000
Sirmur ..	..	..	..	..	..	1,198	149,000	6,10,000
Sitamau ..	..	..	..	..	..	201	28,000	2,70,000
Suket ..	..	..	..	..	..	420	58,000	2,25,000
Tehri (Garhwal) ..	..	..	..	..	..	4,500	350,000	18,80,000

Comparison of the figures for the States of Bihar and Orissa and the Central Provinces with these others will reveal how much bigger in every way some of them are than many of the 9 and 11-gun States whose Rulers are members of the Chamber. It would seem ludicrous that the Rulers of States like Loharu with a population of 23,000, a revenue of Rs. 1,30,000, and an area of 222 square miles, or like Danta with a population of 23,000, a revenue of Rs. 1,76,000, and an area of 347 square miles, or like Sachin with a population of 22,000, a revenue of Rs. 4,08,000, and an area of 49 square miles, should be members\* of the Chamber of Princes, when Rulers of large and old established States like Bastar, Patna, Surguja and Kalahandi are excluded. In the whole of India there are only 27 States which have populations of over 500,000, amongst which are 4 of these States; 60 States with over 200,000, amongst which are 10 of these States; and some 98 States with over 100,000 amongst which are 19 of these States. If a minimum population of 1 lakh were necessary for membership of the Chamber, there would therefore be approximately 100 members qualified by population, exclusive of representative members, i.e., the Chamber so constituted would be about the same in numbers as the present Chamber. The larger States of Bihar and Orissa and the Central Provinces exceed in population several of the 17 gun and many of the 15 gun States, while in area they surpass most. They do not compare so well as regards revenue, but it has to be remembered that they are just at the beginning of their economic development

\*A minimum standard based on the figures for population, revenue and area of these three States would admit almost all the Orissa and Central Provinces States, although many of them are not fit for such promotion.

and with their fertile soil, good climate and remarkable mineral resources are likely to progress at an astonishing rate now that communications have largely been opened up.

91. *Suggested dividing line in present circumstances for membership of Chamber.*—In the three previous paragraphs I have discussed the question of suitability for admission to the Chamber as though it had been open to classify the States on a basis of importance only, uncomplicated by any question of powers; but unfortunately one is not dealing with a tabula rasa, and the question to be settled is how to distinguish the States fit for admission from those not, when admission involves the previous grant of full or practically full powers as a necessary concomitant. It would seem however, desirable to do so on the basis of importance as far as this is possible, consistent with the pre-requisite of enjoyment of practically full powers, so that no new anomalies may now be created in the event of the present basis of the Chamber being altered later on the lines suggested. The exclusion from the Chamber of States unfit to be given practically full powers involves fixing as a minimum dividing line one lakh of population and 3 lakhs of revenue, as this was the criterion suggested in paragraph 65 for this purpose. The acceptance of this minimum line however does not mean that it should necessarily be the dividing line for admission to the Chamber, as the requirements for the latter might conceivably be pitched higher than those for the grant of full powers. But having regard to the States already in the Chamber and the increase in the anomalies that would result from fixing the line higher, I am of opinion that it is the most suitable dividing line for the Chamber also. Perusal of the statistics given above for the 9 gun and 11 gun States whose Rulers are already members of the Chamber will show that 20 of the former and 10 of the latter have a population of less than a lakh. Of the 13 and 15 gun States, the following 10 also have population of less than a lakh, viz., Sikkim, Dewas Senior, Dewas Junior, Jaora, Rutlam, Kishangarh, Jaisalmer, Partabgarh, Jhalawar and Dhrangadhra. Hence if the minimum population were one lakh, the presence on the Chamber of more than 1/3rd of the present members would be anomalous, and if the minimum revenue were 3 lakhs, the States of Balasinor, Danta, Dhrol, Kilchipur, Loharu, Baoni, Sitamau, and Suket which have less than this amount, would be ineligible. The inadvisability of fixing a higher dividing line than that suggested is therefore evident. The line, it is true, only takes account of two of the three factors mentioned in paragraph 88, and is therefore not quite so logical or wide-based. But as against this, "area" is the least important factor of the three, and the most difficult for which to fix a suitable minimum; even the three factors taken together moreover are not very exact as a criterion unless weighted as in the formula given in the note on page 42 and the application of algebraic formula to such matters is not generally regarded with favour. Hence for a rough rule of thumb dividing line, the 1 lakh population and 3 lakhs revenue would seem to be as good a one as can be devised in present circumstances. In any case all the factors referred to in paragraphs 88 and 89 can be taken into consideration when dealing with the marginal cases.

92. *Pros and Cons of various possible dividing lines having regard to local suitability.*—Leaving aside *a priori* general considerations I examined the list of the States of Bihar and Orissa, and the Central Provinces given in Appendix VI for possible dividing lines as regards eligibility for the Chamber with a view to ascertaining their local suitability. Mayurbhanj of course is in a class by itself as regards size, but after it the first large gaps in population occur between Keonjhar and Gangpur, and between Gangpur and Dhenkanal. There is no doubt that the States of Mayurbhanj, Patna, Bastar, Kalahandi, Surguja and Keonjhar are of a different degree of importance historically, as well as on practical grounds from the States below them, and there would be no objection to their promotion to being practically full powered States; but drawing the line either immediately above Gangpur or even immediately below it, i.e., fixing it at 4 lakhs population or at 3 lakhs, would mean that the standard being set for the Bihar and Orissa and Central Provinces States was very much higher than that set for States elsewhere, as the same standards if applied to all India would reduce membership of the Chamber approximately to 30 and 40 respectively. It can scarcely be justified to have one standard for these States and another standard for States

in other parts of India, and the time would seem to have come for treating all on a uniform basis.

The next dividing line I considered was the 2 lakh population line just below Sonpur. This had a great deal to recommend it as it took into the upper category all the States whose past historical position would render this desirable, except Bamra, and all those which have been granted salutes. I am of opinion that having regard to the importance of his State and the quality of his administration the Maharaja of Sonpur has perhaps been unduly honoured over his fellows by being given a salute. Still Government could scarcely stultify itself by promoting a considerable number of these States to the Chamber and yet leave out one of the four to which it had granted salutes. Again the States immediately below the dividing line, *i.e.*, Jashpur, Nandgaon and Khairagarh are not of the same standing as those above it. For Jashpur was once subordinate to Surguja, while Nandgaon and Khairagarh have always been treated more like zamindaris than States. The number taken on this basis would moreover only have been 10, which would more likely be palatable to the Chamber of Princes than a larger number. On the other hand 2 lakhs of population is a very high standard to set having regard to the States already admitted to the Chamber, 109 in all, of whom only 55 would come up to this criterion. As regards the Central Provinces States moreover the Political Agent was of opinion that it would be an unfortunate selection as it would admit to the upper category of States only Bastar, Surguja and Raigarh, of which Bastar would be under Government administration for many years to come, and Raigarh's present Ruler was a nonentity. Hence selection of this line of division would at the moment have the appearance of promoting Surguja over the others, which he did not think desirable, as its administration was not good compared with that of some of the States which would be excluded like Sarangarh. I pointed out the desirability of avoiding basing decisions on the personal equations of Rulers, but he maintained his position that this particular line would have an unfortunate effect locally.

I also considered drawing the line just below Bamra at the  $1\frac{1}{2}$  lakh population mark, as in view of its past history its size and potential development Bamra had strong claims for inclusion in the upper category.  $1\frac{1}{2}$  lakhs is, however, a very arbitrary point at which to draw the dividing line, and in the opinion of the Political Agent, Raipur would have had even more unfortunate results locally than the 2 lakh line just discussed, as it would have involved the inclusion of Jashpur, Nandgaon and Khairagarh, as well as Bamra, and there were objections to this, particularly in the case of Nandgaon. For as stated previously the caste of its Ruler is only that of Bairagi, and he is consequently looked down on by many of the Rulers below him on the list. His personal conduct since he was invested with powers has not been good, and despite the fact that promotion is not to depend on the personal qualities of Rulers, it seemed to me desirable to avoid picking on a dividing line that might appear to the local Chiefs to have been chosen just to include him, and so cause unnecessary umbrage to some of the Rulers just below the line whose administration is admittedly considerably superior to that of Nandgaon.

The next possible line of division is at the one lakh population point. This would result in the inclusion in the upper category of Nayagarh, Seraikela, Kanker, Baud and Sarangarh, and as Kanker is the second in rank amongst the States of the Central Provinces and Sarangarh is about the best administered, it would remove the main objection to the promotions of Surguja and Nandgaon to the upper category while leaving these States in the lower. The Ruling family of Seraikela are moreover distinctly above the average in capacity and character. There is no objection to the promotion of Nayagarh, which at present is under Minority administration, or of Baud, whose Ruler though somewhat ineffective, is intelligent and well meaning.

93. *Conclusion that one lakh population dividing line supplemented by 3 lakh revenue test is best on all grounds.*—The one lakh population dividing line is therefore undoubtedly the most suitable having regard to its local effect. In paragraphs 65 and 91 moreover I have shown its suitability in conjunction with the supplementary test of a 3 lakh revenue as the best dividing line on general grounds. One lakh is also a very convenient round figure. Hence from all points of view I consider that the 1 lakh population criterion supplemented by the 3 lakhs revenue test is the best practical line of division that can be devised in present circumstances.

94. *Question of border line States like Korea.*—The States\* immediately below this dividing line are Udaipur and Korea. Udaipur, which is at present under Minority administration, is an off-shoot of Surguja and has consequently not the same standing as the parent State. Although it has a slightly larger population than Korea, it is smaller in area and revenue and definitely of less general importance [*vide* Appendix IV where States are arranged according to their importance]. Korea overlies a large coalfield and is on the eve of considerable industrial development, as the Railway entered its borders for the first time this last year and the coal mines have started working. Its revenue and population are therefore bound to increase very rapidly. The Ruler moreover runs his State well, and is intelligent† to a degree unusual amongst Ruling Princes. He was sent to the last Round Table Conference as representative of the smaller States and created a favourable impression there. It would therefore be very desirable if Korea could be included‡ in the upper category by making the 1 lakh population and 3 lakh revenue dividing line not a rigid, but an approximate division.

95. *Question of the attitude of the Chamber to new admissions.*—If Korea were included in the upper category, 20 of the Bihar and Orissa and Central Provinces States would be qualified for promotion to the Chamber. This would be a large increase and having regard to the past attitude of the Standing Committee of the Chamber in the matter of new admissions would seem bound to excite strenuous opposition. That opposition was, however, mainly due to the fear that once the gates of the Chamber were opened, it might be flooded out by an invasion of petty Rulers, whose number it was possible for the Viceroy, if he so desired, to increase indefinitely by the grant of full powers. But if an easily comprehensible and logical criterion such as that suggested is fixed, and the dimensions of the resulting influx are definitely measurable§, it is probable that the opposition will be greatly reduced. It is in any case necessary in view of present day developments to make the Chamber more generally representative and to remove its glaring anomalies and the more far sighted of the big Princes have, I think, realised this. At all events some of them have spoken to this effect—probably not entirely disinterestedly—to several of the Chiefs of the Bihar and Orissa and Central Provinces States saying they would support their admission. It would moreover put a stop to the endless memorialising of Government by the Rulers of the small States for admission to the Chamber, if it was known that a population of approximately 1 lakh and a revenue of approximately 3 lakhs were a *sine qua non* for membership.

96. *How to meet case of exceptional Rulers of petty States.*—One important point which may be discussed here is how is the case of quite exceptional Rulers to be met, whose States are too small and unimportant to justify the State being placed in the full powered category under the sanad. Of the 21|| Bihar and Orissa and Central Provinces States in the lower division the Rulers of Talcher and Sakti have shown themselves markedly superior to the general average. The Raja of Talcher¶ administers his State with the help of a very cheap and inferior set of officials as he will not give them adequate pay, but he is very shrewd and practically runs everything himself, so that the poor quality of his officers is not of great consequence. I was unable to visit Sakti personally, but I understand from the Political Agent that the Raja runs his small State very well indeed.

\* Sarangarh although well above as regards population is below as regards revenue, but so little that I don't think it necessary to argue his case.

† His brother is the first member of a Ruling family to pass into the Indian Civil Service.

‡ Even if this was not done, it would presumably be a question of only a few years delay till Korea reached the 1 lakh population mark.

§ The only other areas where there are large numbers of small States wanting admission are in Bombay and the Punjab. Excepting the States of—

Jamkhandi	..	..	..	..	..	popn.	114,000
Bhor	..	..	..	..	..	popn.	142,000
there would be no others with populations exceeding 1 lakh and only—							
Miraj Senior	..	..	..	..	..	popn.	94,000
Akalkot	..	..	..	..	..	popn.	93,000
and							
Jath	..	..	..	..	..	popn.	91,000

have populations exceeding that of Korea. Hence even if the criterion is made elastic enough to cover the case of Korea the total new admissions would at most be 25, less a reduction of 3 or 4 in the number of the representative members, say about 21 in all.

|| I have not included Korea in this number, but if he is excluded from the Upper division, he naturally will come first for consideration in the lower division.

¶ I should expect however that if the Talcher coalfield develops as it gives promise, the population of the State will soon reach the one lakh mark.



The Representative Members from any group will generally be the more intelligent amongst them, and in this way the case of exceptional Rulers such as those I refer to, will to some extent be met, but I would suggest for consideration that it might be useful if in addition to Members and Representative Members, the Viceroy were to retain the right\* to nominate a very limited number of Members to meet the case of small Rulers of outstanding merit, such as the Rajas of Korea, Sakti and Sarila, not members of the Chamber in their own right, who did not secure election as Representative Members.

97. *Effect of the proposed change on the number of representative members.*—If the dividing line at approximately 1 lakh population were accepted, this would entail the entry of 20 States [19 if Korea is excluded] from Bihar and Orissa and the Central Provinces as members in their own right, and would reduce by that amount the number of those voting for the Representative Members.

The *Sambalpur group* electing 1 member, would be reduced to Rairakhol only.

The *Orissa group* electing 2 members, would be reduced to the 14 States of Athgarh, Athmallik, Baramba, Bonai, Daspalla, Hindol, Kharsawan, Khandpara, Narsinghpur, Nilgiri, Pal Lahara, Ranpur, Talcher and Tigiria.

The *Central Provinces group*, electing 1 member would be reduced to the 5 States of Udaipur, Sakti, Kawardha, Changbhakar, and Chhuikhadan.

If my suggestion made in the next chapter is adopted Makrai will be transferred to the Bhopal Agency and will be included in the Central India group.

The most suitable rearrangement would be perhaps to collect all the States of both provinces into two groups, each entitled to elect one Representative. The following grouping seems to be that open to least objection.

(a) The Orissa States of Athgarh, Athmallik, Baramba, Daspalla, Hindol, Khandpara, Narsinghpur, Nilgiri, Pal Lahara, Ranpur, Talcher and Tigiria with a population of 612,000 and a revenue of Rs. 16,65,000, and

(b) The Central Provinces States† of Udaipur, Kawardha, Sakti, Chhuikhadan, Changbhakar together with the States of Bonai, Kharsawan and Rairakhol with a population of 429,000 and a revenue of Rs. 12,42,000. As will be seen in the next chapter, it is proposed that Bonai and Kharsawan should be transferred to the charge of the Political Agent, Raipur; and for that reason it will be convenient to group them with the Central Provinces States and as the Central Provinces group will nevertheless still be smaller than the Orissa group, the addition of Rairakhol, the only survivor of the Sambalpur group, to this group also would seem suitable.

98. *Relation of States to Federal Chamber.*—I have considered the question whether it would be possible to make the criterion for entry into the Chamber of Princes one that might be suitable for adoption in the case of the Upper Federal Chamber. But as it is anticipated that the States will not secure more than 40% membership in an assembly of 200, i.e., 80 in all, and there are already 109 members of the Chamber, which will be increased to 130 or so if my proposals are adopted, it is obvious that Membership of the Chamber cannot carry with it Membership of the Federal body. I understand the population of all the Indian States is just over 81,000,000; hence if there are 80 members, this means that there will be approximately one member as compared with every million of population in the States. It would seem that having regard to this fact, even if representation in the Upper Federal Chamber is not made directly proportional to population, it is not practical‡ politics for States with one or two lakhs of inhabitants to expect to get individual membership. There will therefore have to be 3 categories of States;—

(a) those large enough to have their own representatives on the Federal body,

\* Not necessarily always exercised.

† If Korea is not included amongst the States whose Rulers are eligible for Membership of the Chamber of Princes, it will have to be added to this group making a total of 9 States with a population of 520,000 and a revenue of Rs. 15,36,000.

‡ I am aware that the smaller states on the Chamber of Princes want representation to be unitary, each state possessing so called sovereign powers to have one representative, but this will, I think, meet with invincible opposition from the large States like Hyderabad and Mysore, and also from the States not included in the Chamber on the ground that they are not possessed of full sovereign powers.

- (b) those large enough to be members of the Chamber of Princes, but not of the Federal body,
- (c) those too small to be members of either.

Seats on the Federal body would presumably have to be reserved for the first and last groups, leaving the Chamber of Princes to act as an electoral College for the remainder, should this be the desire of the Princes. If there were to be 1 member for approximately every million of population in the case of the States\* too small for admission to the Chamber of Princes, the minor States of Bihar and Orissa and the Central Provinces which excluding Korea have a united population of 1,041,000 and a united revenue of approximately 29 lakhs, would form a very convenient unit to return one member to the Federal body, while sending 2 representative members to the Chamber of Princes.

99. *Suggested changes in salutes.*—There are one or two other allied matters to which I may refer although not strictly within my terms of reference as they are concerned with the removal of anomalies. The first is the question of salutes. Only 4 States of the Bihar and Orissa group enjoy salutes, and these are of the lowest rank, 9 guns, while none of the Central Provinces States enjoys any. Having regard to the salutes enjoyed by States in other parts of India, and the relative importance of the States, this is altogether anomalous, and it would be most desirable if matters could be levelled up somewhat. I am aware of the objection to meddling with such a thorny question as that of salutes, but I believe a substantial improvement could be effected without causing serious repercussions elsewhere by :—

- (1) promoting Mayurbhanj from the 9 to the 11-gun category.
- (2) giving 9-gun salutes to Bastar, Surguja and Keonjhar when a suitable occasion arises.

Mayurbhanj in general importance and in quality of administration stands in a class by itself amongst these States, and the Maharaja has already shown himself to be an unusually good ruler. There is no other Ruler of a State, anything approaching Mayurbhanj in size and importance who does not enjoy a salute of 11 guns and in fact there is no 11-gun Ruler outside Kathiawar who has so big a State. I think the honour in every way a suitable one, and it would moreover preserve the uniqueness of Mayurbhanj amongst these States, already recognised by his promotion to the Chamber of Princes in advance of the general enquiry, which would otherwise be hidden by the probable promotion of a whole crowd of others.

The Central Provinces Rulers resent strongly the derogation to their dignity as Ruling Chiefs implied by the fact that not one of their member has been so far given a salute, although the Rulers of very much smaller States elsewhere enjoy this honour. What makes this lack more pronounced is the fact that 4 of the Chiefs in the neighbouring Bihar and Orissa States have salutes. In my opinion it is most desirable to rectify this disparity, by giving the leading Central Provinces States salutes of 9 guns, and Bastar and Surguja would seem to be the obvious choice. It is not suggested that the salutes should be given because of anything remarkable in the personal qualities of the Rulers, but merely in recognition of the importance of the States. The only other large State with a population approximating to half a million in both groups is Keonjhar, and I think that the grant of a salute of 9 guns in this case also is desirable, although not in my opinion of the same degree of urgency as the other claims.

100. *Suggested alterations in titles of certain Rulers.*—Another matter also connected with this levelling up of these States and removal of anomalies is the fact that both in the case of Kalahandi and Surguja† the title of Maharaja is only personal. The importance of the States would fully justify the title of Maharaja being made dynastic. In the case of Kalahandi at least, on personal grounds also the Ruler is deserving of promotion. Bastar is also a very large and important State which is bound to develop greatly in the future, and it would be more fitting if the Ruler's title were similarly enhanced.

\* In this case at least I do not see how representation on the Upper Federal Chamber can be given without reference to population.

† In the case of Surguja this personal title is hereditary.



cadre of the Political Department. It is true that the Montagu-Chelmsford principle only referred to important States, and many both in Bihar and Orissa and the Central Provinces by no stretch of the imagination could be considered important. Nevertheless some of the States are important, and if any States are to be taken from the control of the Local Governments I think all must go, as otherwise there would be a duplication of political agency and much unnecessary expense and confusion.

104. *Recommendation that political control of States of Bihar and Orissa, the Central Provinces and Bengal should be taken over by the Government of India.*—For this reason and having regard to the imminence of constitutional changes whereby the character of provincial Governments will be completely changed, I would recommend that the political control of both groups of States should be withdrawn from the Local Governments and taken over by the Government of India in the fairly near future, as I think it would be wise to make the separation some time before the change in the nature of the provincial Government. Logically if the Bihar and Orissa and Central Provinces States are to be taken over, the Bengal States of Cooch Bihar and Tripura (although the question of their future is not mentioned in my instructions) should be taken at the same time. The only reason that has delayed this hitherto has been the lack of any officer of the Political Department near enough to be able to deal with the affairs of these States. This lack will be removed, if the plan proposed below is adopted. Apart from the 2 Bengal States of Cooch Bihar and Tripura which have no separate Political Agent of their own, there are at present 41 States in the two provinces of Bihar and Orissa and the Central Provinces to be dealt with. Twenty-six are in political relations with the Government of Bihar and Orissa through a Political Agent whose headquarters are at Sambalpur. Fifteen are in political relations with the Government of the Central Provinces through a Political Agent whose headquarters are at Raipur. The Political Agent at Sambalpur has one I. C. S. Officer as his full time assistant, and one provincial Service Officer, the Deputy Commissioner, Angul, as his part time assistant. He is also helped in the disposal of cases by the officers named in paragraph 41 on page 15. The political work of the two Agencies therefore requires more than  $3\frac{1}{2}$  officers to dispose of it directly, and at the headquarters of each of the Local Governments concerned, part of the time both of the Chief Secretary and of the Governor is necessarily taken up therewith.

105. *Proposed scheme for Government of India taking over control of the political relations of the States.*—I propose that in future there should be an Agent to the Governor General with the usual staff of a Secretary and an Assistant or Under-Secretary to take over the work hitherto disposed of by the three Local Governments of Bihar and Orissa, the Central Provinces and Bengal, and also to deal direct with some of the largest States, and that there should be two Political Agents with headquarters at Sambalpur and Raipur respectively as at present, but with somewhat altered charges. The present charge of the Political Agent, Sambalpur, i.e., 26 States, would much be too heavy for the work to be disposed of by one officer unassisted, even after the reduction in work likely to result from the alteration in the judicial powers of the Chiefs, and must therefore be lightened, while that of the Political Agent, Raipur, which is relatively lighter, could be increased. The small State of Makrai is very far away from the other Central Provinces States and has nothing in common with them, being situated close to Harda on the main G. I. P. Railway, not far from Bhopal, and I would suggest its being given into the political charge of the Political Agent, Bhopal, to which it used to belong before the provincial Government took over charge of the political relations of all the States within its borders. If this is done, the Political Agent, Raipur, will only have 14 of his present States left. To make the two charges more equal, I would propose that the former Chota Nagpur States of Bonai, Gangpur, Seraikela\* and Kharsawan should be made over to him by the Political Agent, Sambalpur, as these States were formerly in the same group as Surguja, Jashpur, Udaipur, Korea and Changbhakar in the Central Provinces. All these States lie along the main B. N. Railway, and although more distant as the crow flies from Raipur than Sambalpur, in point of convenience they are more accessible to the former which is also on the main

\* The Chief of Seraikela incidentally begged me on behalf of himself and the Raja of Kharsawan to get him out of the Orissa group, with which he said he was out of touch and into the Sambalpur group for the purpose of selecting a Representative member to the Chamber.

B. N. Railway than to Sambalpur, which is on a branch line with only one train daily. This would leave 22 States in the Political Agent, Sambalpur's charge, less such of the Orissa States as are taken into direct relations with the Agent to the Governor General.

106. *Question of new Agent to the Governor General dealing direct with the larger States. Possibility of inclusion of Sikkim and Manipur in new charge.*—The two Bengal States of Tripura and Cooch Bihar, and the State of Mayurbhanj are much bigger and more important in every way than the other States, and it would seem fitting that if any States are placed in direct relations with the Agent to the Governor General, these three at least should be amongst them. The question whether it is desirable to place more States in direct relations with the Agent to the Governor General is one of great difficulty; as it is not easy to estimate the volume of work that would fall to each officer, or to select the States without giving umbrage, and it would be a misfortune if anything were done which gave rise to an impression that the larger States (or all States whose Rulers were admitted to membership of the Chamber of Princes) had a right to be in direct relations with the Agent to the Governor General. At one time I thought that besides the three just named, the States of Kalahandi, Patna, Bastar, Surguja and Keonjhar should also be taken over by the Agent to the Governor General as these are all that are really important; but if the map is examined, it will be seen how scattered these States are and how this would break up the continuity of the areas under the Political Agent's charge. The State of Sonpur moreover as being the only salute State not given direct relations with the Agent to the Governor General would probably begin agitating for this, and the Rulers of the bigger States left out, like Gangpur, Dhenkanal and Raigarh, or Chiefs with an exaggerated sense of their own importance like the Raja of Seraikela would also feel aggrieved. On the whole, therefore, I think it would be best to begin cautiously and provisionally with the 3 States named, leaving it to whoever was first appointed to the post of Agent to the Governor General to take over others at his discretion\* as circumstances indicated. This view would be all the more strengthened, if the coming change in the position of the provincial governments were thought to render it desirable to place the important State of Manipur in political relations with the Government of India, instead of the Assam Government, as unless there is a prospect of a new Political appointment on the North East frontier, the obvious solution would seem to be to place the Resident at Manipur under the new Agent to the Governor General. In this connection it might be worth examination also whether it would not be advisable to bring the Political Agent, Sikkim under the new Agent to the Governor General. At present the Political Agent, Sikkim has dealings mostly with the Foreign side of the Foreign and Political Department as he is the liaison officer of the Government of India with Tibet and Bhutan, but there need be no difficulty over this if he were made subordinate to the Agent to the Governor General, as there is a parallel already in the case of the Political Agent, Gilgit, and if necessary the Political Agent might still be permitted to correspond direct with the Foreign side in the case of trans-border affairs. If the Agent to the Governor General's charge were to be increased by the inclusion of Sikkim and Manipur it is doubtful if he would have time to deal with any States directly, in which case, having regard to convenience of communications the Political Agent,† Sikkim might also be made Political Agent for Cooch Bihar, and the Resident,‡ Manipur, Political Agent for Tripura, Mayurbhanj being left with the Political Agent, Sambalpur.

The work of the Political Agent, Sambalpur will unquestionably be considerably lessened by the suggested changes in the Sanads as regards the judicial powers exercised by the Chiefs, but he will have none of the assistance he at present gets and his charge will remain a heavy one, 21 States in all, even if reduced by the excision of the five States of Mayurbhanj, Bonai,

\* Cf. the position in Rajputana where only the States of Bikaner, Alwar and Sirohi have direct relation with the Agent to the Governor General, a selection which seems purely eclectic.

† I understand that neither of these officers is over-worked, and they would probably welcome an increase in their duties which would prevent them stagnating.

‡ If it should still be too heavy, and the Agent to the Governor General does not take any more of the States under his own charge, further relief could be given to him by the transfer of Kalahandi to the Political Agent, Raipur's charge, as the new Railway from Raipur to Vizagapatam will make access to Kalahandi much more easy from Raipur than from Sambalpur, and Kalahandi was formerly one of the Nagpur Zamindaris with a different history from the other Sambalpur Garhjat States. It is also possible to motor from Bastar to Kalahandi in the cold weather, thus making a circular tour feasible.

Gangpur, Seraikela and Kharsawan as suggested ; for as a result of past practice these States, particularly the smaller ones, will require for a considerable time to come much more paternal supervision and assistance than is ordinarily necessary. The almost certain industrial development of this part of India is bound to increase his work considerably. This latter factor will also affect the work of the Political Agent at Raipur, who will have under the proposed arrangement some 18 States to look after.

107. *Suggested names for new political charges.*—Important questions to be settled if my proposal is given effect to are those of the name, headquarters and status of the new Agent to the Governor General. The name "States of Eastern India" Agency for the Agent to the Governor General's charge seems obvious as a parallel to the States of Western India, and I do not think therefore it is necessary to argue its merits. The names of the two Political Agent's charges, even if their headquarters remain unchanged require modification. In the case of the Political Agent, Sambalpur's charge we have excised all the Chota Nagpur States, so the obvious name would be the Orissa States Agency. In the case of the Political Agent, Raipur's charge it is not easy to find a good name as it now will include both the old Nagpur and Chota Nagpur States. The name "Central States Agency" might lead to confusion with Central India and in any case is not very apt, as, some of the States would not be very central. "Chhattisgarh States Agency" is also inapt as States outside the old Chhattisgarh group are included. The least objectionable name that has occurred to me is "East-Central States Agency", which has the merit of being accurate as a description and of linking it up with the Agent to the Governor General's charge, the States of Eastern India.

108. *New headquarters.*—As regards the headquarters of the Agent to the Governor General, the only suitable location seems to me to be Ranchi. Ranchi has the best climate of any place that is feasible as a headquarters, and a senior Officer like an Agent to the Governor General is entitled to expect some consideration in regard to amenities. It once was the headquarters for all the Chota Nagpur group of States and so some of the Central Provinces States have old political affiliations with it. Hence there would not be the same prejudice to Ranchi being the headquarters of the Agent to the Governor General on the part of the Central Provinces Chiefs as there would be to Sambalpur if it were selected, or on the part of the Bihar and Orissa Chiefs to Raipur if it were selected. Ranchi is on a railway line and has good road communications, so that it is possible to motor from Ranchi to Gaya, Surguja, Keonjhar, Mayurbhanj, Sambalpur, etc. It is a fairly large European centre and is the headquarters of the Bihar and Orissa Government for six months in the year. One immediate advantage it would have over any other place is that if the time of creating the new post of Agent to the Governor General were fixed for the autumn, it would be possible for him to secure ample temporary accommodation for himself and his office for 5 months commencing from the end of October, when the Bihar and Orissa Government move to Patna, and so get time to look around and make permanent arrangements for the future. It would also enable the Agent to the Governor General to keep in touch with the Bihar and Orissa Government.

109. *Possible alternative headquarters.*—The only other possible arrangement that occurred to me in view of the existence of some Government of India buildings there, but which I rejected after study on the spot, was to place the Agent to the Governor General's headquarters at Sambalpur and to move the Political Agent's headquarters to Cuttack\*. Cuttack would probably be a more convenient centre for the Political Agent of the Orissa States than Sambalpur, (especially if Patna and Kalahandi were taken over by the Agent to the Governor General), and temporary accommodation for both the Political Agent and his office could be obtained there. Sambalpur however does not seem to me a suitable headquarters for a senior officer. The climate is very trying as there is a prolonged hot weather. It has no electric installation. It is on a side line on which only one train a day runs and the road connection with the main line is excessively bad. It is moreover a station to which few or no European officials are sent by the Local Government. The Agent to the

\* I also looked at Puri in this connection as it was the terminus of the old pilgrim road running through the States from Sambalpur and might therefore have been a good centre for the Political Agent, but I found it too isolated and not to be compared to Cuttack in convenience.

Governor General could presumably use the existing buildings at Sambalpur belonging to Government, but extensions would be necessary, and it would also be necessary to acquire or construct new buildings in Cuttack for the Political Agent and his office. With headquarters at Sambalpur the Agent to the Governor General would moreover be out of touch with the Bihar and Orissa Government. For these reasons, I am convinced that Ranchi would be by far the most suitable centre for the Agent to the Governor General.

110. *Status of the new Agent to the Governor General.*—As regards status I am of opinion that it is essential he should be an Agent to the Governor General of the first class and that he should have a Secretary and an Assistant or Under-Secretary to help him, as his charge will be scattered over an enormous area of country, and he will often be absent from the headquarters on tour, when it will be necessary to take one of his officers with him and leave another behind to dispose of routine work. The Agency, even if it is limited to the Bihar and Orissa, Central Provinces and Bengal States will be a very large one and will probably grow in population and importance faster than any other in India in view of its relatively undeveloped agricultural, forest and mineral wealth. The comparative figures for the other first class Agencies and for the proposed new Agency are given below :—

	No. of States.	Revenue in lakhs. *	Popula- tion in lakhs. †	Area in 1000 sq. miles.
Central India .. .. .	28	407	66	50
Rajputana .. .. .	18	623	112	129
Punjab .. .. .	13	333	45	29
States of Western India .. .. .	17 <sup>x</sup>	419	40	26 <sup>x</sup>
States of Eastern India including Cooch Bihar and Tripura but excluding Manipur and Sikkim .. .. .	42	237	81	66
States of Eastern India including Manipur and Sikkim, Cooch Bihar and Tripura .. .. .	44	250	86	77

\* 1928 figures.

† 1931 census.

It has to be borne in mind moreover that there are possibilities of further accretions, if the Central India Agency, which is now a very heterogeneous and badly integrated charge, should be broken up, in which case Rewa, and also perhaps the United Provinces State of Benares might conveniently be included in the charge of the Agent to the Governor General at Ranchi. Apart from the quantitative criterion, I would suggest that the States of this part of India, being the eve of a period of considerable development and not being accustomed to stand on their own legs to the same extent as the old established States of Rajputana and Central India, will require much more tutelage than the latter, even if all the bigger States are given practically full powers.

111. *Cost of new proposals.*—The extra recurring cost which I estimate after deducting savings† from the reduction of the post of Assistant Political Agent at Sambalpur, *vide* Appendix VII, at approximately 1½ lakhs, is not great having regard to the importance of the changes involved and financial obstacles ought not to be permitted to stand in the way of the arrangement proposed when this is a direct corollary of the declared policy of the Government of India, and if, as I believe, no cheaper arrangement will enable political relations with this large group of States to be satisfactorily maintained. It seems to me therefore that it is just as necessary to face the cost of this as of any other item of the new arrangements consequent on the coming of Federation.

112. *Discussion of possible alternatives.*—Before coming to this conclusion, I considered various other possibilities. The most obvious one is that of creating

† There will undoubtedly be some reduction of work in the Secretariats of the Local Governments as a result of withdrawing the States from their control, but as in the past no charge has been made by the Local Governments against the Government of India on this account, no financial saving will be effected thereby.



## APPENDIX I.

*Tour Programme of A. C. Lothian, Esq., I.C.S., Officer on Special Duty under Foreign and Political Department of the Government of India.*

13th November 1931	..	..	Leave Delhi 19-30 Mail.
14th November 1931	..	..	Arrive Jaipur 3-40. Leave Jaipur 23-07 Mail.
16th November 1931	..	..	Arrive Patna Jn. 21-26.
17th November 1931	..	..	Halt at Patna.
18th November 1931	..	..	Leave Patna Jn. 21-32 (Punjab Mail).
19th November 1931	..	..	Arrive Howrah (Calcutta) 7-06.
20th November 1931	..	..	Leave Howrah (Calcutta) 16-06 (Bombay Mail).
21st November 1931	..	..	Arrive Jharsuguda 1-51. Leave Jharsuguda 2-15. Arrive Sundargarh 3-15.

## BIHAR AND ORISSA STATES.

22-23rd November 1931	..	..	Halt at Sundargarh (Gangpur).
24th November 1931	..	..	Leave Sundargarh 9-0 A.M. Arrive Kalunga 12-30. Leave Kalunga 3-52 P.M. (Pr. Train). Arrive Chakardharpore 7-48 P.M. Leave Chakardharpore 9-30 P.M. Arrive Chaibassa 10-30 P.M.
25th November 1931	..	..	Leave Chaibassa 9-0 A.M. Arrive Seraikela 10-0 A.M.
26-27th November 1931	..	..	Halt at Seraikela.
28th November 1931	..	..	To Kharsawan and back.
29th November 1931	..	..	Halt at Seraikela.
30th November 1931	..	..	To Keonjhar.
1st and 2nd December 1931	..	..	Halt at Keonjhar.
3rd December 1931	..	..	To Baripada (Mayurbhanj via Jajpur-Road and Rupsa).
4th-6th December 1932	..	..	Halt at Baripada (Mayurbhanj).
7th December 1931	..	..	To Nilgiri.
8th December 1931	..	..	Leave Nilgiri (via Khantapara and Raj-Athgarh).
9th December 1931	..	..	Arrive Dhenkanal.
10th-11th December 1931	..	..	Halt at Dhenkanal.
12th December 1931	..	..	To Talcher.
13th-14th December 1931	..	..	Halt at Talcher.
15th December 1931	..	..	To Pal Lahara.
16th December 1931	..	..	Halt at Pal Lahara.
17th December 1931	..	..	Leave Pal Lahara (via Panposh).
18th December 1931	..	..	Arrive Raipur.
19th-20th December 1931	..	..	Halt at Raipur.
21st December 1931	..	..	Leave Raipur.
22nd December 1931	..	..	Arrive Bonaigarh.
23rd December to 1st January 1932	..	..	Halt at Bonaigarh.
2nd January 1932	..	..	To Deogarh (Bamra).
3rd January 1932	..	..	To Kuchinda and back.
4th January 1932	..	..	Halt at Deogarh (Bamra).
5th January 1932	..	..	To Sambalpur.
6th January 1932	..	..	Halt at Sambalpur.
7th January 1932	..	..	To Bolangir (Patna).
8th January 1932	..	..	From Bolangir to Patangarh and back.
9th-10th January 1932	..	..	Halt at Bolangir (Patna).
11th January 1932	..	..	To Bhawanipatna (Kalahandi).
12th-14th January 1932	..	..	Halt at Bhawanipatna.
15th January 1932	..	..	To Sonpur.
16th-18th January 1932	..	..	Halt at Sonpur.
19th January 1932	..	..	To Baudgarh (Baud).
20th-21st January 1932	..	..	Halt at Baudgarh.
22nd January 1932	..	..	To Daspalla.
23rd-24th January 1932	..	..	Halt at Daspalla.
25th January 1932	..	..	To Nayagarh.
26th January 1932	..	..	Halt at Nayagarh.
27th January 1932	..	..	To Ranpur and back.
28th January 1932	...	..	To Puri.

29th-31st January 1932	..	..	Halt at Puri.
1st February 1932	..	..	To Khandpara.
2nd February 1932	..	..	Halt at Khandpara.
3rd February 1932	..	..	To Narsinghpur.
4th February 1932	..	..	Halt at Narsinghpur.
5th February 1932	..	..	To Baramba.
6th February 1932	..	..	Halt at Baramba.
7th February 1932	..	..	From Baramba to Tilgiria and back.
8th February 1932	..	..	To Athgarh.
9th February 1932	..	..	From Athgarh to Cuttack and back.
10th February 1932	..	..	To Hindol.
11th and 12th February 1932	..	..	Halt at Hindol.
13th February 1932	..	..	To Athmallik.
14th-15th February 1932	..	..	Halt at Athmallik.
16th February 1932	..	..	To Rairakhhol.
17th February 1932	..	..	Halt at Rairakhhol.
18th February 1932	..	..	To Sambalpur.
19th February 1932	..	..	Leave Sambalpur.
20th February 1932	..	..	Arrive Ranchi.
21st February 1932	..	..	Leave Ranchi.
22nd February 1932	..	..	Arrive Howrah (Calcutta).
23rd-26th February 1932	..	..	Halt at Calcutta.
27th February 1932	..	..	Leave Howrah.
28th February 1932	..	..	Arrive Raigarh.
		..	Leave Raigarh.

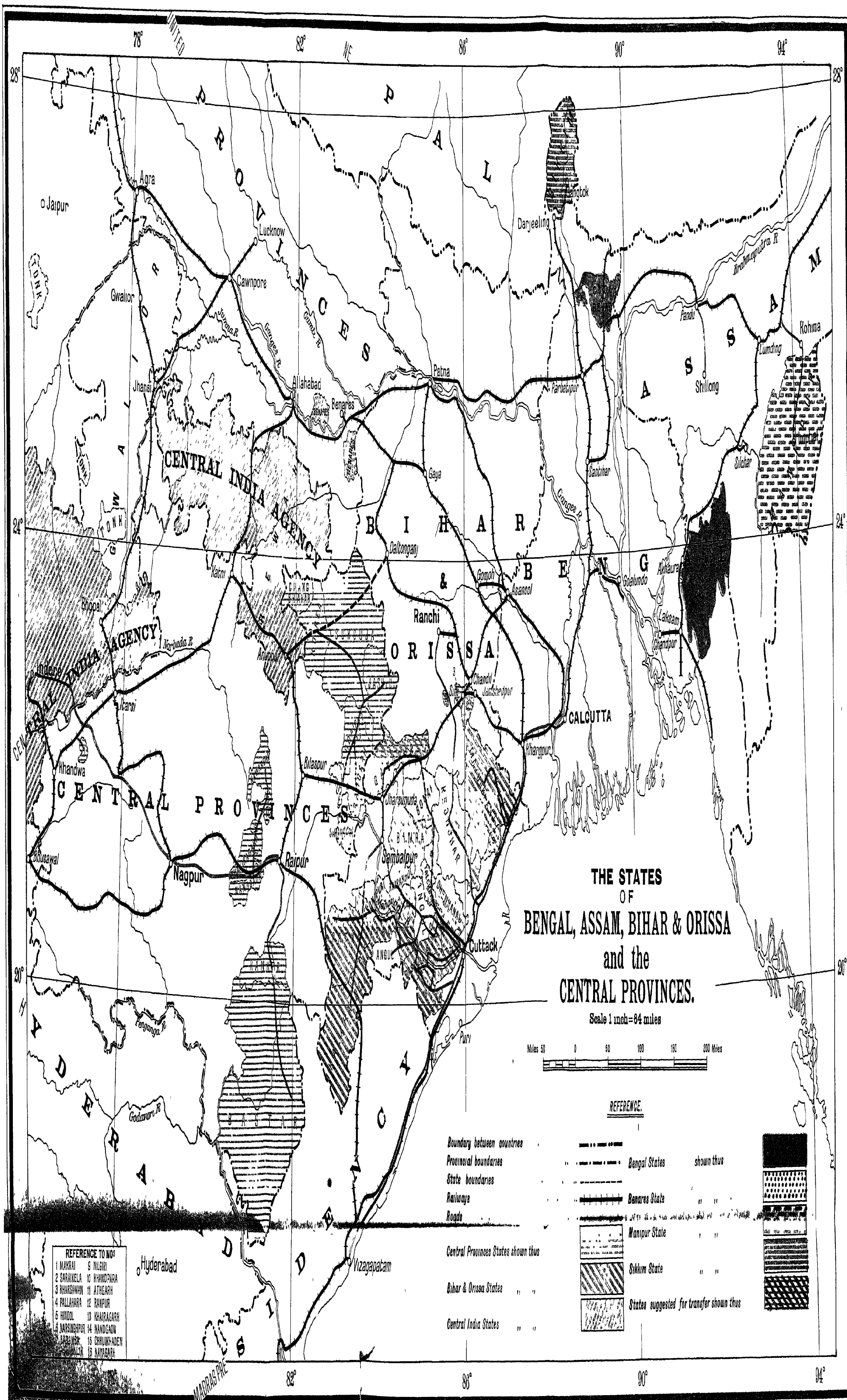
## CENTRAL PROVINCES STATES.

28th February 1932	..	..	Arrive Sarangarh.
29th-1st March 1932	..	..	Halt at Sarangarh.
2nd March 1932	..	..	Leave Sarangarh (5 P.M.)
3rd-4th March 1932	..	..	Halt at Raigarh.
5th March 1932	..	..	Leave Raigarh (10-30 A.M.)
		..	Arrive Dharamjaygarh (Udaipur) (6-30 P.M.)
6th March 1932	..	..	Halt at Dharamjaygarh (Udaipur).
7th March 1932	..	..	Leave Dharamjaygarh (Udaipur) (11-30 A.M.)
		..	Arrive Ambikapur (Surguja) (3-0 P.M.)
8th, 9th and 10th March 1932	..	..	Halt at Ambikapur (Surguja).
11th March 1932	..	..	Leave Ambikapur (11-30 A.M.)
		..	Arrive Baikunthpur (Korea) (2-0 P.M.)
12th-13th March 1932	..	..	Halt at Baikunthpur (Korea).
14th March 1932	..	..	Leave Baikunthpur (8-0 A.M.)
		..	Arrive Ambikapur (10-0 A.M.)
		..	(Breakfast at Ambikapur).
		..	Leave Ambikapur (11-30 A.M.)
		..	Arrive Jashpur (4-30 P.M.)
15th March 1932	..	..	Halt at Jashpur.
16th March 1932	..	..	Leave Jashpur (10-0 A.M.)
		..	Arrive Raigarh (5-0 P.M.)
17th March 1932	..	..	Leave Raigarh.
		..	Arrive Raipur.
18th March 1932	..	..	Halt at Raipur.
19th March 1932	..	..	From Raipur to Rajnandgaon and Khairagarh and back.
20th March 1932	..	..	To Jagdalpur (visiting Kanker <i>en route</i> ).
21st March 1932	..	..	Halt at Jagdalpur (Bastar).
22nd March 1932	..	..	Leave Jagdalpur.
		..	Arrive Raipur.
23rd March 1932	..	..	Leave Raipur (Evening Express Passenger).
		..	(Via Nagpur).
25th March 1932	..	..	Arrive New Delhi.









THE STATES  
OF  
BENGAL, ASSAM, BIHAR & ORISSA  
and the  
CENTRAL PROVINCES.

Scale 1 inch=64 miles



REFERENCE.

- |                               |            |  |
|-------------------------------|------------|--|
| Boundary between countries    | — — — — —  |  |
| Provincial boundaries         | — — — — —  |  |
| State boundaries              | — — — — —  |  |
| Railways                      | — — — — —  |  |
| Roads                         | — — — — —  |  |
| Bengal States                 | shown thus |  |
| Benares State                 | " "        |  |
| Manipur State                 | " "        |  |
| Sikkim State                  | " "        |  |
| States suggested for transfer | shown thus |  |
| Central Provinces States      | shown thus |  |
| Bihar & Orissa States         | " "        |  |
| Central India States          | " "        |  |

- REFERENCE TO NOS
- |               |                 |
|---------------|-----------------|
| 1. MANDAL     | 9. NIGIRI       |
| 2. SARAKELA   | 10. KHANDPARA   |
| 3. KHARSHWAN  | 11. ATHGARH     |
| 4. PALLAHARA  | 12. RANPUR      |
| 5. HINDOL     | 13. KHARAGARH   |
| 6. NARSINGPUR | 14. NANOAGAN    |
| 7. SARABHADRA | 15. CHIRUKHADEN |
| 8. NAYAGARH   | 16. NAYAGARH    |



## APPENDIX III.

*Questions.**Answers.*

1. Name of State.
2. Name, age and caste of Ruler.
3. Status of State.
4. Area.
5. Population at last census.
6. Average revenue (average of last 3 years).
7. Average expenditure (average of last 3 years).
8. How is the State administered ?
9. Qualifications and pay of Diwan or Superintendent.
10. Qualifications and pay of Senior Judicial Officer.
11. Qualifications and pay of Senior Medical Officer.
12. Qualifications and pay of Senior Police Officer.
13. (a) Is a budget kept and (b) is the personal expenditure of the Ruler and his family clearly differentiated therein from other State expenditure ?
14. What proportion does the expenditure on the Ruler and his family bear to the whole expenditure ?
15. Has the State any reserves ?
16. What are the revenue arrangements ?
17. What are the excise arrangements ?
18. What are the judicial arrangements ?
19. What are the police arrangements and what are the rates of pay in the lower ranks of the police ?
20. What are the jail arrangements ?
21. What are the P. W. D. arrangements ?
22. What is the state of communications ?
23. How is the State equipped as regards Public Works ?
24. What are the forest and mineral resources of the State ?
25. What educational facilities are provided ?
26. What medical and sanitary facilities are provided ?
27. What proportion of the people are aborigines who might be classed definitely as backward classes ?
28. Do the aborigines (a) require and (b) receive any special legal or administrative protection ?
29. Is there any forced labour ? If so, of what nature ?
30. Are the judicial records kept in English or the vernacular ?
31. Has there been a proper settlement of the State ?
32. General remarks.





Like Central Provinces States.

WFO-20-14634-GPS















## APPENDIX VII.

## APPROXIMATE COST OF NEW FIRST-CLASS RESIDENCY.

Details.	Estimates. (Approximate.) Rs.
<i>Pay of Officers—</i>	
1. Agent to the Governor General (Rs. 4,000) .. ..	48,000
2. Secretary and Assistant Secretary (Rs. 650—2,250) .. ..	25,000
<i>Pay of Establishments—</i>	
30 Office superintendent and Clerks (at rates varying from Rs. 45 to Rs. 500) .. ..	34,000
20 Servants (at rates varying from Rs. 16—22) .. ..	5,000
<i>Allowances, Honoraria, etc.—</i>	
Sumptuary allowance for Agent to the Governor General (Rs. 250 per mensem) .. ..	3,000
Travelling Allowances .. ..	25,000
Office and Hill Allowances, etc. .. ..	2,000
Payment on account of medical treatment of British Officers of the Superior Civil Services .. ..	100
Maintenance of a Motor Car .. ..	1,800
Purchase, maintenance, etc., of the Agency and Residency Furniture	5,000
Care and repair of Agency and Residency houses and grounds ..	1,000
Secret Service expenditure .. ..	103
<i>Contingencies—</i>	
Services Postage and Telegram Charges .. ..	5,000
Liveries and warm clothings for menials .. ..	1,000
Purchase of books and publications .. ..	200
Toshakhana Contingencies .. ..	100
Other Miscellaneous charges .. ..	9,000
Entertainment Charges .. ..	100
Total for A. G. G. and his office ..	1,65,400
<i>Raipur Political Agency—</i>	
1 Political Agent (Rs. 650—2,250) .. ..	21,000
Clerks, Servants and temporary establishment .. ..	20,000
<i>Allowances, Honoraria, etc.—</i>	
Travelling Allowances .. ..	4,000*
Tents .. ..	100
<i>Contingencies—</i>	
Miscellaneous Charges .. ..	3,300
Entertainment Charges .. ..	200
Total for Raipur Political Agency ..	48,600
<i>Sambalpur Political Agency—</i>	
The same expenditure as for the Raipur Political Agency except that Rs. 1,400 extra has been provided for travelling allowance purposes .. ..	50,000
Grand Total for the new Agency ..	2,64,000
<i>Cost according to the 1932-33 Budget Estimates—</i>	
(a) of the Central Provinces States Agency .. ..	46,000
(b) of the Orissa Feudatory States Agency (less Rs. 18,000 recovered from the States on account of the cost of the Agency Forest Officer) .. ..	83,000
(c) of the political control of the Bengal States (Cooch Bihar and Tripura) .. ..	6,900
Total present cost ..	1,35,900
Total proposed cost ..	2,64,000
Increase ..	1,28,100

\* The present T. A. grant of the P. A. Raipur appears to me altogether inadequate, and the local T. A. rules are so illiberal that they are likely to act as a deterrent to the P. A. doing the amount of touring which is desirable.

## APPENDIX VIII.

## APPROXIMATE COST OF 2 SECOND CLASS RESIDENCIES.

*Sambalpur Agency.*

Details.						Estimates. (Approximate.) Rs.
<i>Pay of Officers—</i>						
1. A. G. G. (Rs. 3,000)	..	..	..	..	..	36,000
2. Assistant to A. G. G. (Rs. 650—750)	..	..	..	..	..	8,000
<i>Pay of Establishments—</i>						
25 Office Superintendent and clerks (at rates varying from Rs. 30—300)	..	..	..	..	..	25,000
20 Servants (at rates varying from Rs. 15—22)	..	..	..	..	..	4,000
<i>Allowances, Honoraria, etc.—</i>						
Sumptuary allowance for the A. G. G. (Rs. 200 per mensem)	..	..	..	..	..	2,400
Travelling allowance	..	..	..	..	..	12,000
Office and hill allowances	..	..	..	..	..	2,000
Payment on account of medical treatment of British Officers of the Superior Civil Services	..	..	..	..	..	100
<i>Supplies and Services—</i>						
Purchase, maintenance, etc., of the Agency and Residency furniture	..	..	..	..	..	1,800
Care and repairs of Agency and residency houses and grounds	..	..	..	..	..	1,000
Secret Service expenditure	..	..	..	..	..	100
<i>Contingencies—</i>						
Service, Postage and telegram charges	..	..	..	..	..	2,500
Purchase of books and publications	..	..	..	..	..	200
Toshakhana contingencies	..	..	..	..	..	100
Other miscellaneous	..	..	..	..	..	4,700
Entertainment charges	..	..	..	..	..	100
Total						1,00,000
<i>Raipur Agency—</i>						
Same as that for Sambalpur Agency	..	..	..	..	..	1,00,000
Grand Total						2,00,000
Proposed	..	..	..	..	..	2,00,000
Present	..	..	..	..	..	1,35,900
Increase						64,100







